



PLAN OF ACTION TO PREVENT PEOPLE TRAFFICKING



What is people trafficking?

People trafficking is the act of recruiting, transporting, transferring, harbouring and receiving a person through the use of force, coercion or other means for the purpose of exploiting them. A victim of people trafficking is deceptively recruited into exploitative conditions; they may be bonded to their traffickers through an unacceptable debt and in many cases kept in slave-like conditions.

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The *Plan of Action to Prevent People Trafficking* is a whole-of-government response to people trafficking. The development of the Plan of Action represents the combined efforts of government agencies and the advocacy of non-government organisations.

The Plan of Action was coordinated by the Department of Labour on behalf of the Inter-agency Working Group on People Trafficking. The Department would like to thank the various government agencies represented on the Inter-agency Working Group for their ongoing and meaningful contributions to the development of the Plan of Action and for their commitment to undertake the action items it identifies.

The approach to the development and implementation of the Plan of Action has been based on the principle of government and non-government working in partnership to

achieve the common goal of preventing and combating people trafficking in New Zealand. The Department acknowledges the positive contribution of stakeholders in the non-government sector. The 34 formal submissions received from the non-government sector during the public consultation period in June 2008 helped to shape the Plan of Action. Moreover, the implementation of some of the action items, particularly in relation to victim support, will utilise the existing partnerships between government agencies and non-government social service providers.

**INTER-AGENCY WORKING GROUP
ON PEOPLE TRAFFICKING**

- DEPARTMENT OF LABOUR
- DEPARTMENT OF PRIME MINISTER AND CABINET
- MINISTRY OF FOREIGN AFFAIRS AND TRADE
- MINISTRY OF JUSTICE
- MINISTRY OF HEALTH
- MINISTRY OF SOCIAL DEVELOPMENT
- MINISTRY OF WOMEN'S AFFAIRS
- NEW ZEALAND CUSTOMS SERVICE
- NEW ZEALAND POLICE

ACRONYMS

ACC	
<i>Accident Compensation Corporation</i>	
Customs	
<i>New Zealand Customs Service</i>	

DIA

Department of Internal Affairs

DoL

Department of Labour

HNZC

Housing New Zealand Corporation

MFAT

Ministry of Foreign Affairs and Trade

MoH

Ministry of Health

MoJ

Ministry of Justice

MSD

Ministry of Social Development

NGOs

Non-government organisations

Police

New Zealand Police

MINISTER'S FOREWORD



People trafficking is a crime against humanity that crosses international borders and damages an untold number of lives. It is the act of recruiting, transporting, transferring, harbouring and receiving a person through the use of force, coercion or other means for the purpose of exploiting them. While the most well-known form of trafficking involves women who are used for sexual purposes, people trafficking of men, women and children for forced labour is also emerging as an international trend.

While New Zealand has no known experience of trafficking, the Government is continually working to prevent people trafficking and to prepare for dealing with any cases that may arise. The *Plan of Action to Prevent People Trafficking* (Plan of Action) puts specific strategies in place to prosecute people traffickers, as well as the means to assist their victims.

As any effective response against people trafficking demands a whole-of-government approach, this plan outlines a range of tasks for participating agencies to achieve over the short, medium and long term.

There are several reasons for developing this Plan of Action. As a signatory to the United Nations Trafficking Protocol, New Zealand is required to develop strategies for preventing and combating people trafficking. As a member of the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime, New Zealand also made a pledge to develop a practical plan of action to prevent people trafficking. This Plan fulfils that pledge, and its publication will let the world know what New Zealand is doing to help bring an end to this complex international crime.

The Plan of Action was developed by government agencies working together including the Departments of Labour and Prime Minister and Cabinet; the Ministries of Justice, Foreign Affairs and Trade, Health, Social Development, and Women's Affairs; and the New Zealand Police and Customs Service. Our approach was informed by New Zealand's international obligations, the views and comments of stakeholders with an interest in trafficking issues and international research into anti-trafficking strategies.

The Government is committed to preventing and detecting people trafficking, bringing offenders to justice and offering protection and assistance to victims of trafficking. As Minister of Immigration, I thank everyone who was involved in developing this coordinated, whole-of-government response to people trafficking.

Hon. Dr Jonathan Coleman
Minister of Immigration

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INTRODUCTION

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People trafficking¹ is a serious transnational crime that abuses the human rights of its victims. In its simplest form, it involves the deceptive recruitment of people from overseas for forced exploitation, sometimes into slavery-like conditions. The ways victims of trafficking are recruited and exploited can take many forms. Most commonly, victims are trafficked for forced labour and sexual servitude.

People trafficking is difficult to detect as the modus operandi of traffickers and trafficking syndicates is thought to evolve in response to efforts to eradicate the crime. As estimated by the US Department of State, approximately 800,000 people are trafficked annually across international borders, with 80 percent of victims believed to be female, and up to 50 percent minors. It is believed that the majority of this trafficking is for commercial sexual exploitation².

New Zealand is committed to help fight trafficking. In 2002 New Zealand became party to the United Nations' Convention against Transnational Organised Crime and the related Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Trafficking Protocol). Also, since 2002, New Zealand has in place comprehensive legislation to prosecute offenders in people trafficking crimes. The penalties for trafficking offences are comparable to the penalties for murder and rape under New Zealand law.

To this end, the government is focussing to ensure any future cases of trafficking to New Zealand are prevented before they occur.

Similarly, actions are being developed to increase New Zealand's capacity to detect any trafficking activity and to rehabilitate victims who may present in the future. Key to achieving these objectives is raising public awareness to create an environment to effectively prevent and detect trafficking.

The government's work in this regard culminates in this Plan of Action. Because people trafficking issues have impacts on various aspects of society, New Zealand's response is best prepared through a whole-of-government approach.

The Plan of Action details the scope of measures and programmes that various government agencies are actively progressing to prevent people trafficking and prepare for any future cases that may arise. The Plan of Action will mainstream anti-people trafficking initiatives into existing government programmes.

The Plan of Action results from the cooperative work of the Inter-agency Working Group on people trafficking, the feedback from a public consultation round, and research on international experience of trafficking and best practice in trafficking related initiatives.

1. People Trafficking is also known as *Human Trafficking*. The term *People Trafficking* has been used throughout for consistency.

2. United States' State Department's *Trafficking in Persons* report at www.state.gov/g/tip/rls/tiprpt/

New Zealand context

People trafficking is an international crime which has not yet managed to gain a foothold in New Zealand. We have been fortunate; however, there is no room to be complacent. People trafficking is a global concern and New Zealand could potentially be targeted as a destination for trafficked persons. It is important we have the capacity to prevent and combat this crime should it arise. It is also possible that there are cases of people trafficking that remain undetected in New Zealand.

A collaborative government response to trafficking is required

Since 2006, the Inter-agency Working Group on People Trafficking has met to progress anti-people trafficking initiatives. This Inter-agency Working Group is chaired by the Department of Labour and has membership from the Department of Prime Minister and Cabinet; the Ministries of Justice, Foreign Affairs and Trade, Health, Social Development, and Women's Affairs; the New Zealand Police, and the New Zealand Customs Service.

Collectively, representatives on the Inter-agency Working Group have contributed items for the Plan of Action. Each agency will be responsible for implementing items that fall under their portfolios in collaboration with other agencies and non-government organisations where necessary.

Consultation Period

From June to July 2008, the Department of Labour undertook public consultation on the development of a Plan of Action on behalf of the Inter-agency Working Group.

Submitters ranged from international organisations, non-government organisations and academics, to interested individuals. All 34 submitters supported the development of a Plan of Action and provided constructive feedback. The submitters' perspectives have informed the development of the Plan of Action.

Review of the Plan of Action implementation

The Inter-agency Working Group will continue to meet regularly to coordinate and monitor progress towards achieving the work items outlined in the Plan of Action. The Department of Labour will compile an annual report on progress to achieving the goals of the Plan of Action. The Minister of Immigration will be informed of any cases of people trafficking as they arise.

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NEW ZEALAND'S RESPONSE

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PRINCIPLES AND GOALS

Overall objective

The New Zealand Government prevents people trafficking, brings offenders to justice and offers protection and assistance to victims of trafficking.

Principles

A

Victims of people trafficking have humanitarian needs and should be afforded appropriate assistance and protection.

B

Traffickers and their associates, and people who exploit victims of trafficking, are to be prosecuted to the full extent of the law.

C

The whole-of-government response to people trafficking is coordinated, timely and comprehensive and meets New Zealand's international commitments.

Goals

Prevention:

1. The New Zealand Government contributes to people trafficking prevention through international engagement and development programmes.
2. New Zealand's borders are secured from trafficking activity.
3. Awareness is raised within government and targeted community groups on trafficking indicators and anti-trafficking procedures.
4. Cases of suspected trafficking activity are identified and referred to the New Zealand Police for investigation.

Protection:

5. Victims of trafficking are afforded access to protection measures consistent with New Zealand's international commitments.
6. Government agencies accommodate the needs of victims of trafficking, including timely access to health and social services.
7. The New Zealand Government provides assistance for victims by utilising existing arrangements with non-government organisations.
8. Government agencies assist victims of trafficking to return to their home country or remain in New Zealand as necessary.

Prosecution:

9. New Zealand undertakes high quality investigations into suspected trafficking activity to enable prosecution of alleged people traffickers.
10. The criminal justice process is supportive of the specific needs of victims of trafficking during prosecutions.

United Nations Convention against Transnational Organised Crime

The United Nations Office on Drugs and Crime (UNDOC) is the guardian of the Convention against Transnational Organised Crime and its Protocols. New Zealand ratified this convention in 2002. The Convention and its protocols provide States with direction on measures to join the international efforts to combat transnational crimes such as people trafficking and smuggling.

United Nations Definition of People Trafficking

The United Nations defines people trafficking as:

"the recruitment, transportation, transfer and 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, or the abuse of power or of a position of vulnerability, or of the giving or receiving of payments or benefits to a person in control of the victim, for the purposes of exploitation which includes sexual exploitation, forced labour or services, slavery or similar practices, and/or the removal of organs".

Difference between People Trafficking and People Smuggling

People smuggling and people trafficking are different crimes. People smuggling relates to a migrant voluntarily paying a smuggler to facilitate illegal entry into another country and the smuggler obtaining, directly or indirectly, a financial or other material benefit for procuring such entry. Victims of people trafficking are deceptively recruited from one country into exploitative conditions in another country which they did not agree to or have been coerced to accept.

Timetable

The Plan of Action work items have been noted as either: Short, Medium or Long-term goals. Short-term goals will aim to be completed within one year of implementation of the Plan of Action and will be reported on in the first annual plan. Medium-term work items will be completed within two years. Long-term work items taking longer than two years include those items that may either take a long time to complete or will only be able to be undertaken if a case of people trafficking is identified and is being dealt with by government agencies.

PREVENTION

Approach to prevention

New Zealand does not have any known history of people trafficking; therefore the main focus of this Plan of Action is on prevention. Providing a strong and proactive response to dealing with people trafficking may offer greater deterrence to people traffickers from targeting New Zealand as a potential destination country.

TRAINING TO IDENTIFY TRAFFICKING ACTIVITY

Further training of government officials in anti-trafficking measures will ensure that staff can employ a common approach to dealing with suspected trafficking activity. In order to detect and provide the first response, frontline government officials from the main enforcement agencies need to know how to identify possible trafficking activity and what procedures to follow.

The New Zealand Police have implemented a new training module on people trafficking crimes for inclusion in the detective training syllabus. The Department of Labour trains compliance staff on indicators of people trafficking prior to every compliance operation in the sex industry and whenever there is a possibility the operation may expose staff to trafficking activity.

AGENCIES INVOLVED: DoL, Police and Customs	RELATED TO: Goals (2) and (3)
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The Department of Labour is undertaking to extend training to more staff. Some of this training will be specifically targeted to offshore officers who process visas. This will increase New Zealand's capacity to detect trafficking before it reaches the border. This will also ensure traffickers do not succeed in obtaining any New Zealand visas for their potential victims. Another training initiative is to train border compliance staff, including Customs officers, on how to detect suspected trafficking activity at the border. Department of Labour Health and Safety officers and Labour Inspectors will also be trained on how to detect trafficking activity during their visits to workplaces.

No.	OBJECTIVE	ACTION	TIMETABLE	AGENCY RESPONSIBLE	MEASURE
1	Government officials in operational roles are better equipped to identify and manage suspected people trafficking activity	Train operational staff on people trafficking indicators and appropriate responses	Short: Develop training Medium: Implement training	Police, DoL and Customs	Evaluation of the effectiveness of training materials and provision

KEY

 ACTION ITEM

 BUSINESS AS USUAL

Why do we need a Plan of Action to Prevent People Trafficking?

The Plan of Action provides for a consistent and coordinated response to people trafficking and implementation of measures in the Trafficking Protocol³. The Plan of Action details measures the government is taking to prevent and detect trafficking activity, and how any identified victims will be assisted.

Implementing the Plan of Action will mainstream people trafficking prevention and assistance for victims of trafficking into existing government initiatives and programmes. The Plan of Action will be key to securing our border from traffickers and, if necessary, enforcing anti-trafficking legislation and rehabilitating victims.

TARGETED AWARENESS-RAISING

AGENCIES INVOLVED:
DoL and Police

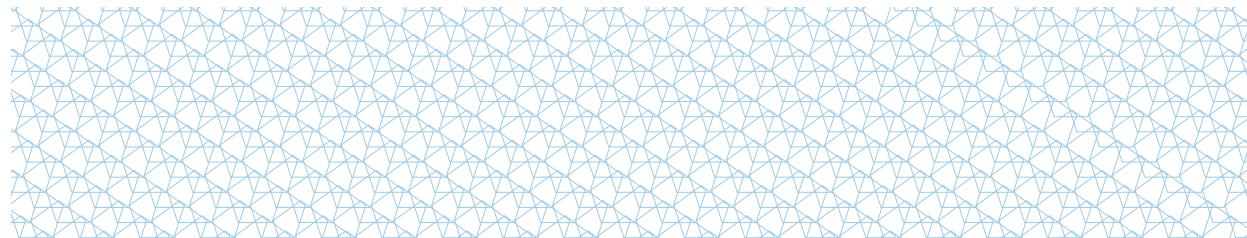
RELATED TO:
Goal (3)

People trafficking is clandestine by nature and difficult to detect. Greater awareness about what people trafficking entails will make it more likely that it can be detected. It is vital that government officials, including those outside operational roles, know how to identify the indicators of people trafficking crimes and refer cases appropriately. Similarly, individuals and communities may recognise and report signs of suspicious activity if they are more aware of people trafficking crimes.

International experience has shown that the most prominent form of people trafficking is of women for commercial sex services. Clients of sex services that exploit victims of trafficking may be unaware that they are engaging the services of a person in these circumstances. Awareness needs to be raised within the sex industry so that workers and clients are encouraged to report any concerns.

No.	OBJECTIVE	ACTION	TIMETABLE	AGENCY RESPONSIBLE	MEASURE
2	Raise government officials' awareness of people trafficking indicators	Develop information materials for government officials	Short: Produce intranet web-pages and information materials	Police and DoL	Survey of awareness
3	Raise public awareness of people trafficking crimes	Develop a targeted awareness campaign using a variety of media	Short: Develop and implement a public awareness campaign	DoL	Evaluation of awareness-raising campaign

3. The Trafficking Protocol can be accessed from: www.unodc.org/pdf/crime/a_res_55/res5525e.pdf



RESEARCH ON PEOPLE TRAFFICKING

AGENCIES INVOLVED:

DoL

RELATED TO:

Goal (3)

Further research on people trafficking will assist the New Zealand government to understand the risk people trafficking poses to New Zealand. Research on people trafficking trends is particularly difficult because New Zealand has not experienced any verified cases of people trafficking from which to draw information.

The Department of Labour is currently identifying research priorities to address knowledge gaps relating to adverse impacts of migration. Research on people trafficking issues (in particular, best practice for victim assistance) has been included in the proposed work.

No.	OBJECTIVE	ACTION	TIMETABLE	AGENCY RESPONSIBLE	MEASURE
4	Improve understanding of the nature of people trafficking	Scope research on trafficking issues of relevance to New Zealand	Short: Scope research Medium: Ongoing research	DoL	Peer review of research undertaken

Risk factors for New Zealand

New Zealand may be targeted as a destination by people traffickers. It is important for New Zealand to be aware of trends of people trafficking in the region and to develop ways to minimise the risk of people trafficking infiltrating our border controls. Several cases of people trafficking have been identified in Australia and other countries in the Asia-Pacific region.

KEY

 ACTION ITEM

 BUSINESS AS USUAL

INTELLIGENCE-GATHERING

AGENCIES INVOLVED:
DoL, Police and Customs

RELATED TO:
Goals (1), (3) and (4)

Investigations into suspected people trafficking activity must be intelligence-driven. It is essential that the various government agencies that gather information from a wide range of sources, including other governments, are able to share this information in an effective and lawful way to assist prevention strategies and investigations. To further this aim, the Department of Labour has committed to undertaking an inter-agency Collection Plan of all people trafficking intelligence and the New Zealand Customs Service is redrafting a profile on people trafficking indicators for staff information.

Due to the transnational nature of people trafficking crimes it is essential that enforcement agencies share information with other governments within the parameters of privacy and legislative obligations. The New Zealand Police have established a National Intelligence Centre to be based in Wellington. The National Intelligence Centre will further enable both the Police and other agencies to share intelligence on many criminal matters, including information about suspected trafficking activity.

No.	OBJECTIVE	ACTION	TIMETABLE	AGENCY RESPONSIBLE	MEASURE
5	People trafficking intelligence is collated and shared appropriately	Collect information related to people trafficking activity on an ongoing basis	Short: Undertake Collection Plan (DoL) Redraft Targeting Profile (Customs)	DoL, Customs and Police	Use of intelligence related to people trafficking
6	International intelligence related to people trafficking is shared lawfully and appropriately	Engage with countries in the region for intelligence-sharing related to people trafficking	Ongoing engagement with the international community about regional trafficking trends	DoL, Customs and Police	Engagement increases the flow of valuable intelligence related to people trafficking

Trafficking in Persons report

Each year the US State Department produces a Trafficking in Persons (TiP) Report which discusses the prevalence of, and national responses to, trafficking in other countries.

The US definition includes trafficking within domestic borders whereas the New Zealand definition only includes international border crossings. Despite the definitional differences, the US State Department has continued to categorise New Zealand as a Tier 1 country. Tier 1 status means that New Zealand fully complies with the minimum standards for the elimination of trafficking.

The Trafficking in persons reports are available at www.state.gov/g/tip/rls/tiprpt/

INTERNATIONAL ENGAGEMENT ON PEOPLE TRAFFICKING ISSUES

People trafficking is a transnational crime. New Zealand must, therefore, build relationships with other governments in the region to prevent and combat trafficking activity. New Zealand participates in international efforts against people trafficking in a variety of ways. For example, New Zealand engages in bilateral, multilateral and regional fora where people trafficking issues are discussed.

New Zealand contributes to a wide range of international fora on people trafficking issues. These fora include, but are not limited to:

- the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime
- the Pacific Immigration Directors' Conference

AGENCIES INVOLVED:
MFAT and DoL

RELATED TO:
Goal (1)

- the International Organisation for Migration
- Inter-governmental Consultations on Migration, Asylum, and Refugees
- the United Nations High Commission for Refugees.

New Zealand also reports periodically on its anti-trafficking efforts to both the United Nations and the United States' State Department.

The Department of Labour's Border Security Group and the Ministry of Foreign Affairs and Trade's Pacific Division focus efforts to build capacity of nations in the region, and to meet goals of New Zealand government, such as increasing border security and managing labour mobility effectively.

No.	OBJECTIVE	ACTION	TIMETABLE	AGENCY RESPONSIBLE	MEASURE
7	New Zealand engages meaningfully with international fora on people trafficking issues	Continue to participate in international fora and engagement on people trafficking issues	Ongoing	MFAT and DoL	Reporting by agencies on regional meetings, technical assistance and other engagement initiatives

KEY

 ACTION ITEM

 BUSINESS AS USUAL

International fora – Bali Process

The Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime (the Bali Process), has strengthened cooperation on people trafficking issues between participating countries in the Asia Pacific region. New Zealand has taken a leadership role in the Bali Process since its inception in February 2002.

The desired outcomes sought by participating in the Bali Process are to share, and collect information on threats and risks associated with illegal migration, people smuggling and people trafficking, and to contribute to identifying strategies to mitigate against these; and to establish and/or strengthen relationships with counterparts in other migration-related agencies.

INTERNATIONAL DEVELOPMENT ASSISTANCE TO COMBAT THE CAUSES OF PEOPLE TRAFFICKING

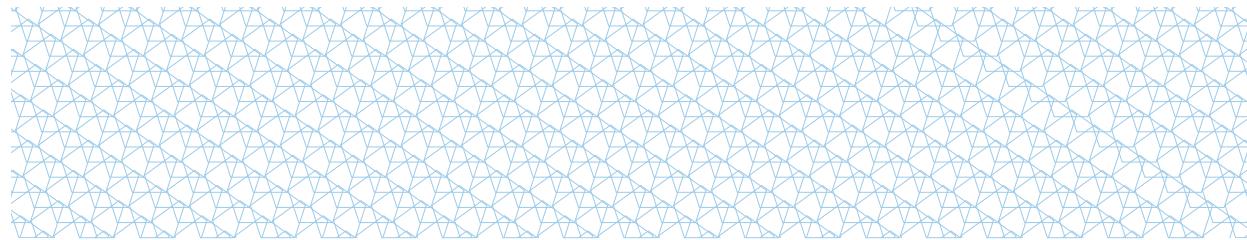
AGENCIES INVOLVED:
MFAT and DoL

RELATED TO:
Goal (1)

Poverty and lack of opportunity are 'push factors' that can increase a person's vulnerability to being trafficked. New Zealand has made commitments to the international community to assist developing nations in the region to eliminate poverty. Overseas aid and development projects are coordinated by the New Zealand Agency for International Development, which is administered by the Ministry of Foreign Affairs and Trade. Each year the New Zealand government provides funds to organisations who undertake anti-trafficking work in known trafficking source countries around the globe.

The Department of Labour employs a Regional Liaison Officer based in Apia, Samoa. The purpose of this role is to work with Pacific Island nations, regional organisations, and other New Zealand agencies with interests in the Pacific to build capacity and capability in border security. The development of capacity building projects in the Pacific and establishment of a network of key stakeholders by the Regional Liaison Officer facilitates the flow of robust information and intelligence within the department, and enables immigration risks to New Zealand to be pro-actively mitigated.

No.	OBJECTIVE	ACTION	TIMETABLE	AGENCY RESPONSIBLE	MEASURE
8	Assist developing countries to reduce push factors that lead to people trafficking	Continue to offer development assistance for anti-trafficking projects in developing countries	Ongoing	MFAT and DoL	Statements of accounts for projects/ organisations funded. Reporting by agencies on technical assistance, regional meetings and other engagement activities



ENHANCING BORDER SECURITY TO PREVENT TRAFFICKERS TARGETING NEW ZEALAND

AGENCIES INVOLVED:
DoL, Customs, Police and DIA

RELATED TO:
Goal (2)

A key method to prevent people trafficking into New Zealand is ensuring that illegal migration and fraud that may be associated with trafficking is stopped. The concept of the New Zealand border has taken on a new meaning in recent times. Offshore ports and overseas airports are now considered to be 'the border' alongside our international airports and sea ports. Border security is extended to this 'offshore border' with the aim to keep potential illegal migrants from embarking on their travel to New Zealand in the first place.

Visa caseload vetting

Traffickers may seek to gain entry for their victims by attaining a genuine visa for their victim's admission to New Zealand. These applications are likely to contain fraudulent information. Offshore immigration officers need to be supported by a repertoire of profiles and alerts to help them remain abreast of the evolving nature of people trafficking trends and activity in the region. This will increase the capacity for immigration officers to more closely vet visa applications for possible trafficking activity.

No.	OBJECTIVE	ACTION	TIMETABLE	AGENCY RESPONSIBLE	MEASURE
9	Traffickers are unable to fraudulently secure a New Zealand visa for their potential victims	Strengthen fraud detection in immigration applications to detect people trafficking	Short: Develop and implement profiles and risk alerts	DoL	Periodic review

Increased border security

Due to New Zealand's geographical location, it is likely people traffickers and their victims would enter New Zealand by air. This creates an opportunity for prevention initiatives to be targeted at international airports.

It is important for border security staff to be aware of people trafficking indicators and to be provided with information about travellers in a timely manner to enable them to interdict where necessary.

No.	OBJECTIVE	ACTION	TIMETABLE	AGENCY RESPONSIBLE	MEASURE
10	Strengthen onshore border security to detect people trafficking activity at air and sea ports	Develop risk profiles and alerts	Short: Develop and implement profiles and risk alerts	DoL and Customs	Reports from border staff about suspected trafficking activity

KEY

 ACTION ITEM

 BUSINESS AS USUAL

Who are the victims?

People traffickers exploit peoples' desire to make a better life for themselves in a foreign country. Potential victims of trafficking may be deceived into believing they are coming to a new country legitimately for a job where they will make more money than they can at home. Upon arrival, however, they find that they will be forced to work in an occupation not of their choosing, or on terms they did not agree to, for little or no pay. Traffickers and exploiters ensure victims' cooperation by threats and/or violence. Victims suffer significant human rights abuses at the hands of the traffickers.

World-wide, the most prominent form of trafficking is of women for commercial sexual services. There is an emerging trend of people trafficking for forced labour, particularly in the construction, agriculture, and domestic service industries. In many cases, victims are vulnerable and separated from their families. Victims may be unable to seek help due to a range of factors including, restriction of their movement, language barriers, fear of approaching authorities, and unfamiliarity with the help that is available.

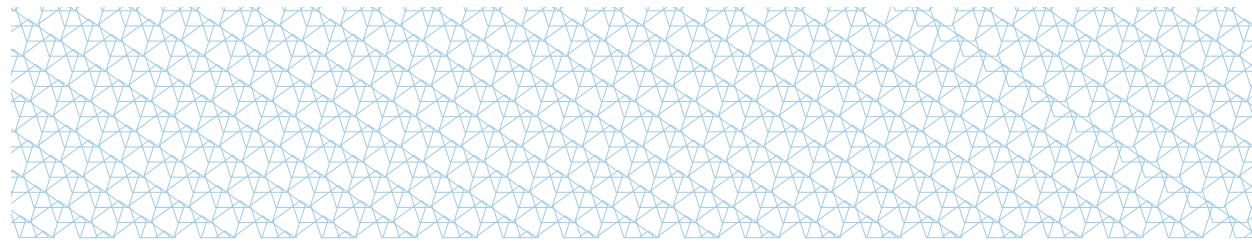
Measures against identity fraud

Traffickers might seek to provide a fraudulent or stolen passport to facilitate entry to New Zealand for their victims. New Zealand constantly works to ensure that only genuine passports are accepted for use. Passport verification is undertaken by a range of agencies. For example the Department of Labour checks passports when processing immigration applications, the New Zealand Customs Service matches passports with passengers at

international airports and the Department of Internal Affairs verifies identity when re-issuing passports.

The Department of Internal Affairs is also responsible for monitoring and improving the integrity of the use of New Zealand passports. To meet this aim, the Department of Internal Affairs builds capacity for other government agencies to detect fraudulent use of New Zealand passports.

No.	OBJECTIVE	ACTION	TIMETABLE	AGENCY RESPONSIBLE	MEASURE
11	New Zealand passports and identity documents are difficult to use fraudulently	Enhance the integrity of travel documents onshore and offshore	Short: Implement projects including the New Zealand Passport book upgrade and the enhancement of international sharing about lost and stolen passports	DIA	Analysis of fraud occurrences and measurement of uptake of DIA services and standards by other agencies
12	Travel documents and identity documents are difficult to obtain fraudulently	Enhance the integrity of issuance processes for travel documents, and provide the guidance required to enhance the integrity of other sources of identity documentation	Short: Promote use of the Evidence of Identity Standard and implement the Identity Assurance Framework	DIA	Analysis of fraud occurrences and measurement of uptake of DIA services and standards by other agencies



PROTECTION

Approach to protection

Victims of people trafficking are likely to be vulnerable and may require government protection. Protection of victims of trafficking has two focus areas: physical safety and human rights.

Victims of trafficking may be at risk of facing retribution from traffickers once they are identified by the Police or when they provide statements about their trafficking experience. The Police will ensure that the physical safety of victims is protected and where necessary, will place victims in a safe house.

Similarly, it is important to protect the human rights of victims by ensuring that they are dealt with appropriately by New Zealand authorities. New Zealand is committed to protecting the human rights of all people in New Zealand. The Human Rights Act 1993 and the Bill of Rights Act 1990 apply to all people in New Zealand regardless of

their immigration status. The action items in this section function to protect the human rights of trafficking victims.

In line with the requirement of the Trafficking Protocol, victims of trafficking will be assisted to return to their home country or, in appropriate circumstances, they will be assisted to remain lawfully in New Zealand either temporarily or permanently. Repatriation and settlement decisions will be made on a case-by-case basis, taking into account the specific circumstances and needs of the victim as well as humanitarian and compassionate considerations.

RECOGNITION OF TRAFFICKING VICTIMS' STATUS

The Police will make a formal certification that a person is a suspected victim of trafficking. This police-certification will be endorsed by a senior police officer and will be based on an assessment of evidence and witness statements. Police-certification will be issued when there is a reasonable suspicion that the person in question

AGENCY INVOLVED:
Police

RELATED TO:
Principle (a)

has been trafficked to New Zealand according to the definition of people trafficking in section 98 of the Crimes Act 1961 (amended in 2002). Police-certification could be revoked by the Police if further investigation into the case proves that the person has not, in fact, been trafficked.

No.	OBJECTIVE	ACTION	TIMETABLE	AGENCY RESPONSIBLE	MEASURE
13	Victims of people trafficking are properly identified	Certify any suspected victims of trafficking based on assessment of evidence	At the time when a case of suspected trafficking is identified	Police	Reporting on the number of Police certifications issued and withdrawn

KEY

 ACTION ITEM

 BUSINESS AS USUAL

REPATRIATION ASSISTANCE FOR VICTIMS OF TRAFFICKING

International experience suggests that some victims of trafficking simply want to return to their home country as soon as possible. In these circumstances, the Department of Labour will facilitate their repatriation. Where this becomes a voluntary removal, the Department of Labour will

AGENCIES INVOLVED:
DOL and MFAT

RELATED TO:
Goal (8)

conduct a humanitarian assessment. The Ministry of Foreign Affairs and Trade may also be involved by liaising with the officials of the country of origin to encourage the state to provide care for the victim on their arrival.

No.	OBJECTIVE	ACTION	TIMETABLE	AGENCY RESPONSIBLE	MEASURE
14	Victims are assisted to return home	Organise and facilitate the repatriation of victims	Following an humanitarian assessment	DOL	Evaluation of case outcomes
15	Countries of origin are notified of the case	Liaise with the country of origin to encourage it to meet the safety needs of the victim	When the victim is repatriated	MFAT	Evaluation of case outcomes

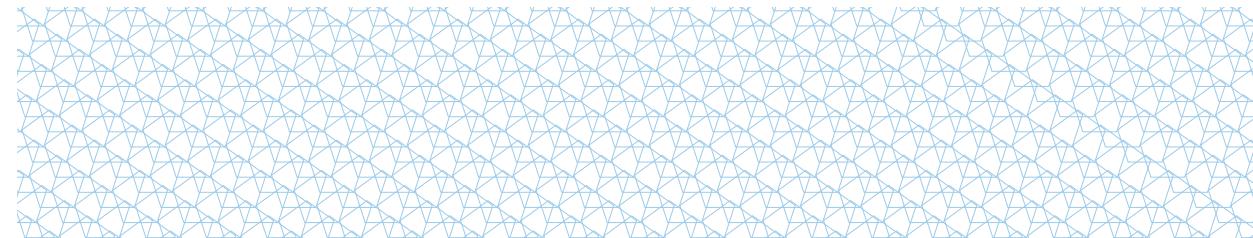
IMMIGRATION STATUS

Police-certified victims of trafficking are likely to need to stay in New Zealand at least temporarily while the Police consider, or commence, an investigation. If the Police gain enough evidence for a prosecution, they may seek the victim's consent to participate in a criminal justice process against alleged traffickers. In this instance it may be necessary for the victim to remain in New Zealand for a substantial period of time.

AGENCY INVOLVED: **DOL** RELATED TO: **Principle (a) and Goals (5) & (8)**

Where it is considered that it is too dangerous for the victim to return to their home country, the Department of Labour may look at options for long-term immigration solutions. The Department of Labour has work underway to enable the needs of victims can be accommodated within the range of permits currently offered.

No.	OBJECTIVE	ACTION	TIMETABLE	AGENCY RESPONSIBLE	MEASURE
16	Victims can apply for an immigration status suitable for their needs	Develop a policy for victims of people trafficking	Short: Seek Ministerial agreement for policy	DOL	Policy implementation



HEALTH SERVICES FOR VICTIMS OF TRAFFICKING

Meeting the immediate health needs of identified victims of trafficking is a high priority. Victims may have a myriad of physical and/or mental health problems due to their experience of being trafficked. New Zealand has a duty to protect public health and to provide for individuals' acute health needs. It is essential that victims of trafficking do not face undue barriers when accessing health services in New Zealand.

Everyone in New Zealand can access acute health services. Acute health services are funded directly or subsidised by the government for

AGENCIES INVOLVED:
MoH and ACC **RELATED TO:**
Principle (a) and Goal (6)

eligible people including New Zealand citizens and permanent residents. People who are ineligible for publicly-funded health services, such as tourists, temporary migrants and illegal migrants, may still access acute care as needed although they will be asked to pay afterwards.

The Ministry of Health will seek amendment to eligibility criteria to enable police-certified victims of trafficking to access publicly-funded health services. The Accident Compensation Corporation offers the same level of cover to anyone in New Zealand regardless of their immigration status.

No.	OBJECTIVE	ACTION	TIMETABLE	AGENCY RESPONSIBLE	MEASURE
17	Victims can access publicly-funded health services	Review Health policies to ensure victims do not face undue barriers to accessing medical attention	Short: Review the Eligibility Direction	MoH	Review of the Eligibility Direction considers the needs of victims of trafficking
18	Victims can access treatment and rehabilitation from ACC for any covered physical or mental injury(s)	Inform victims of their right to access rehabilitation assistance	At the time when a claim is lodged with ACC	ACC	Evaluation of case outcomes

KEY

 ACTION ITEM

 BUSINESS AS USUAL

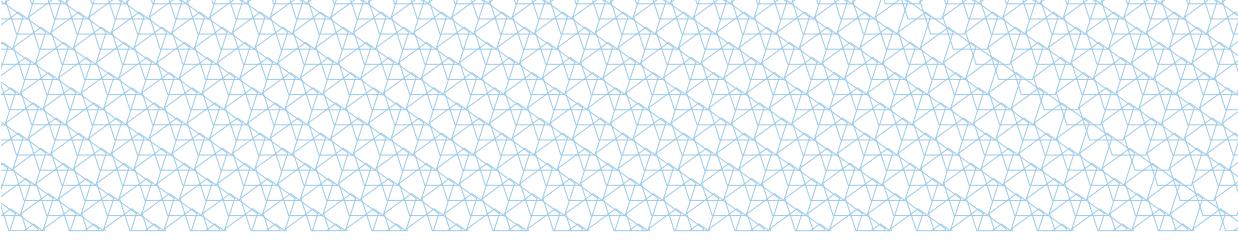
HOUSING FOR VICTIMS OF TRAFFICKING

As part of the victim protection process of a Police investigation, the Housing New Zealand Corporation (HNZC) will use its best endeavours to arrange immediate temporary housing for any identified victims of trafficking. Non-government organisations, such as refuges, may also offer

AGENCIES INVOLVED: HNZC and NGOs	RELATED TO: Principle (a) and Goal (6)
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shelter. HNZC may be able to provide a more long term housing solution if the need arises. This may be necessary if the victim is participating in a lengthy criminal justice process against their traffickers, or if they are granted permanent residence.

No.	OBJECTIVE	ACTION	TIMETABLE	AGENCY RESPONSIBLE	MEASURE
19	Victims can access housing appropriate to their needs	Provide housing assistance to victims of trafficking	At the time a case of trafficking arises	HNZC and NGOs	Reporting on any housing assistance accessed by victims of trafficking



SOCIAL SERVICES AND FINANCIAL ASSISTANCE FOR VICTIMS OF TRAFFICKING

AGENCIES INVOLVED:
Police and MSD

RELATED TO:
Principle (a) and
Goals (6) & (8)

Victims of trafficking suffer a gross breach of their human rights and it is likely that they will be unfamiliar with the social services available in New Zealand. Following referral by the Police, the Ministry of Social Development will provide case-management to coordinate the provision of support services to police-certified victims of trafficking. The nature of this case-management will be determined on a case-by-case basis and will be provided through appropriate community-based providers.

Victims of trafficking are unlikely to have the financial resources to support themselves and would be at risk of serious financial hardship if financial assistance is not available to them. The

Ministry of Social Development provides financial assistance to small groups of people who do not qualify for other assistance through the Special Needs Grants Ministerial Welfare Programme. The Ministry of Social Development will seek an amendment to this programme to allow financial assistance to be provided to victims of trafficking.

The Ministry of Social Development's operational arm, Work and Income, will offer tailored financial assistance to suit the needs of victims of trafficking. Victims of trafficking would also have access to Work and Income's employment programmes and services to help them to find suitable and sustainable employment to become financially independent.

No.	OBJECTIVE	ACTION	TIMETABLE	AGENCY RESPONSIBLE	MEASURE
20	The needs of victims are case-managed and victims are supported to access social services	Refer victims for case-management and social services provided by publicly-funded NGOs and oversee the supports a victim accesses	At the time when a case of trafficking is identified	Police and MSD	Report on services accessed by victims of trafficking and case outcomes
21	Victims can access financial assistance suitable for their needs	Amend Special Needs Grants Ministerial Welfare Programme to provide financial assistance to victims of trafficking	Short: Seek Ministerial agreement to amend the Special Needs Grants Ministerial Welfare Programme	MSD	Reporting on financial assistance accessed by victims of trafficking

KEY

 ACTION ITEM

 BUSINESS AS USUAL

PROTECTION OF TRAFFICKING VICTIMS' PHYSICAL SAFETY

New Zealand Police will work to protect victims by ensuring their physical security through providing safe housing in New Zealand and actively pursuing the traffickers [including assisting the pursuit of people traffickers and their associates in other jurisdictions if required]. Many victims of trafficking may have been coerced into accepting

AGENCY INVOLVED: Police	RELATED TO: Principle (a) and Goal (5)
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their exploitation following threats made against their families if they do not submit to the traffickers. The Police will report any threats to the relevant governments as appropriate. Police Liaison Officers located offshore⁴ and Interpol would be best placed to follow up where necessary.

No.	OBJECTIVE	ACTION	TIMETABLE	AGENCY RESPONSIBLE	MEASURE
22	Victims' physical safety is protected	Assess the potential danger to the victim (and to their family back home) and provide appropriate protection	At the time when a case of trafficking is identified	Police	Report on case outcomes

4. The New Zealand Police have Liaison Officers in the following locations: Beijing, Jakarta, Bangkok, Canberra, Sydney, London, Washington and Suva.

PROSECUTION

Approach to prosecution

New Zealand has comprehensive laws and enforcement measures in place to prosecute people traffickers. People traffickers will be prosecuted to the fullest extent of the law.

The Crimes Act 1961 was amended in 2002 to include anti-trafficking provisions (section 98). The law is based on the United Nations definition of people trafficking as outlined in Articles 3 and 4 of the Trafficking Protocol. New Zealand laws are yet to be tested with a case of trafficking; the provisions are consistent with international best practice.

People trafficking carries penalties of up to 20 years in prison and/or a \$500,000 fine. The penalties for people trafficking are comparable to those for homicide and rape; therefore, investigations into

suspected trafficking activity will be afforded the same level of priority by the New Zealand Police.

Legal Framework

New Zealand has adopted a transnational definition of people trafficking which is given legislative effect in Section 98D of the Crimes Act 1961. The Crimes Act along with other existing legislation, such as the Immigration Act 1987⁵ and the Prostitution Reform Act 2003, covers other criminal offences associated with the exploitation of people within New Zealand, such as underage prostitution.

INVESTIGATION OF SUSPECTED TRAFFICKING ACTIVITY

Any people trafficking crimes are to be thoroughly investigated. It is important that any government agencies that encounter indications of suspected trafficking activity have the appropriate procedures to be able to share that information

AGENCIES INVOLVED:
Police, DoL and Customs

RELATED TO:
Principle (b) and
Goals (4) and (9)

in a timely manner. Given the seriousness of people trafficking offences, it is necessary for any suspected people trafficking activity to be dealt with by senior officials.

No.	OBJECTIVE	ACTION	TIMETABLE	AGENCY RESPONSIBLE	MEASURE
23	Investigations of suspected trafficking activity are well coordinated	Develop a protocol for coordinating inter-agency input to investigations	Short: Identify key contact people and methods of communication	DoL, Police, Customs	Evaluation of investigation process and outcomes

5. Please note that at the time of publication new immigration legislation was being considered by Parliament.

KEY

 ACTION ITEM

 BUSINESS AS USUAL

SUPPORT FOR VICTIMS OF TRAFFICKING DURING THE CRIMINAL JUSTICE PROCESS

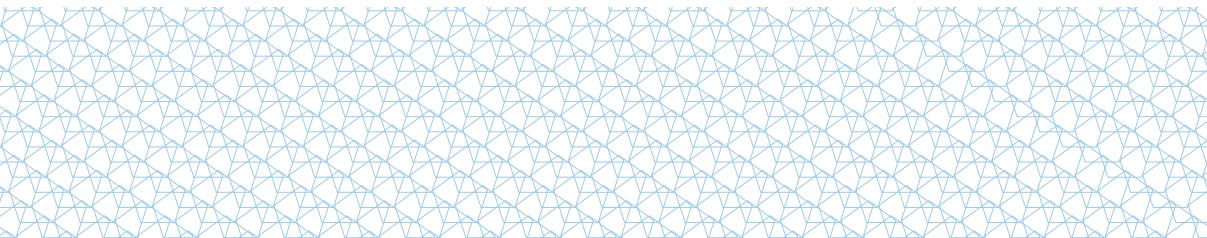
AGENCY INVOLVED:
MoJ and Police

RELATED TO:
Principle (a) and Goal (10)

International experience shows that it is extremely difficult to secure convictions in cases of people trafficking. Convictions often hinge on the strength of a victim's witness statements, and victims are likely to be suffering the effects of trauma and exploitation. Therefore, under

the Plan of Action, victims will be assisted and positively encouraged to participate in any criminal proceedings involving their alleged traffickers. Also, information on victims' rights will be provided to victims support organisations that may come into contact with any victims of trafficking.

No.	OBJECTIVE	ACTION	TIMETABLE	AGENCY RESPONSIBLE	MEASURE
24	Victims are supported to make witness statements	Use victim-friendly interviewing techniques	At the time when a case of trafficking is identified	Police	Evaluation of investigation process and outcomes
25	Victims are supported to participate in the criminal justice process	Train advisers on how to assist victims of trafficking (e.g. how best to provide information on relevant court and administrative proceedings)	At the time when a case of trafficking is identified	MoJ	Feedback from victims and advisers
26	Victims have access to culturally-appropriate support	Interpreters and advisers are available to assist a victim of trafficking	At the time when a case of trafficking is identified	MoJ – funded interpreters	Feedback from victims and interpreting services
27	Victims have access to information on victims' rights in a variety of languages	Provide access to information for victims of crime by distributing pamphlets and operating a free information line	Ongoing implementation of the Victims' Information Work Programme	MoJ	Evaluation of the Victims' Information Work Programme



COMPENSATION FOR VICTIMS OF TRAFFICKING

New Zealand law provides for victims to seek compensation for damage suffered. Where a person has been convicted of an offence, the offender may be ordered by the Court to make reparation to compensate the victim. In a case of trafficking, this may be applicable where in the course of exploiting the victim the trafficker has

AGENCY INVOLVED:	RELATED TO:
DoL, MoJ and ACC	Principle (a) and Goal (6)

breached a range of New Zealand laws. Victims may also be eligible for compensation from the Accident Compensation Corporation (ACC) to cover any assistance they need to rehabilitate from any physical or mental injuries they may have suffered.

No.	OBJECTIVE	ACTION	TIMETABLE	AGENCY RESPONSIBLE	MEASURE
28	Victims have access to seeking compensation for damage suffered	Inform victims of their right to seek compensation	At the time when a case of trafficking is identified	DoL, MoJ and ACC	Evaluation of case outcomes

Response to suspected trafficking activity

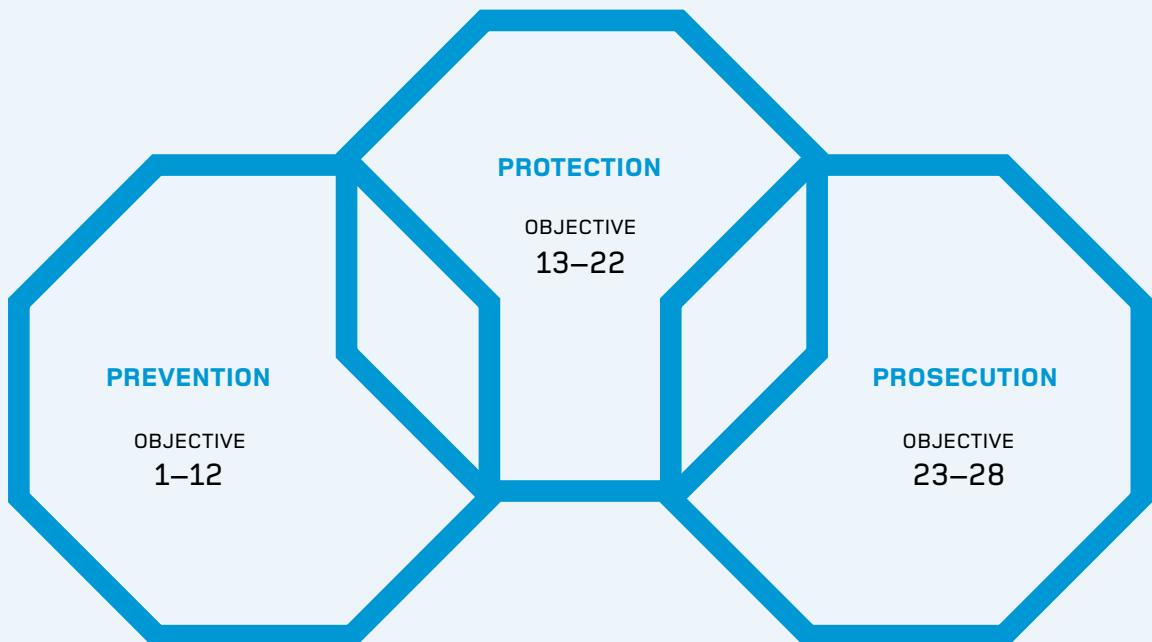
Trafficking is an underground activity by nature and any indications should be reported at the first instance for investigation. It is possible a member of the public might encounter suspected victims of trafficking in any industry, but particularly in the legal and illegal sex industries. Information from the public might be the key to detecting cases this transnational crime.

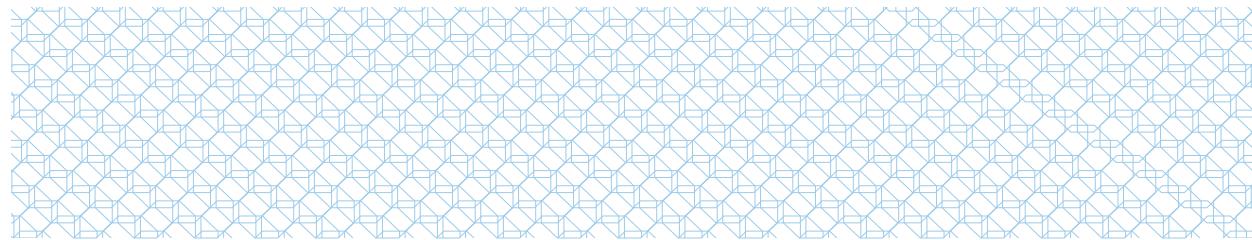
Information about suspicious behaviour should be reported immediately to the Police. Reports can be made to the Police anonymously by phoning the Emergency Line: 111; or by notifying a local Police station.

INTER-AGENCY WORKING GROUP ACTION ITEMS

5

25





PREVENTION

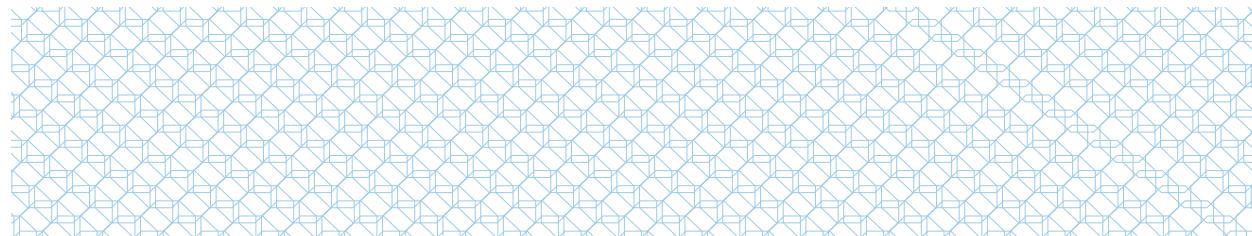
No.	OBJECTIVE	ACTION
1	GOVERNMENT OFFICIALS IN OPERATIONAL ROLES ARE BETTER EQUIPPED TO IDENTIFY AND MANAGE SUSPECTED PEOPLE TRAFFICKING ACTIVITY	Train operational staff on people trafficking indicators and appropriate responses
2	RAISE GOVERNMENT OFFICIALS' AWARENESS OF PEOPLE TRAFFICKING INDICATORS	Develop information materials for government officials
3	RAISE PUBLIC AWARENESS OF PEOPLE TRAFFICKING CRIMES	Develop a targeted awareness campaign using a variety of media
4	IMPROVE UNDERSTANDING OF THE NATURE OF PEOPLE TRAFFICKING	Scope research on trafficking issues of relevance to New Zealand
5	PEOPLE TRAFFICKING INTELLIGENCE IS COLLATED AND SHARED APPROPRIATELY	Collect information related to people trafficking activity on an ongoing basis
6	INTERNATIONAL INTELLIGENCE RELATED TO PEOPLE TRAFFICKING IS SHARED LAWFULLY AND APPROPRIATELY	Engage with countries in the region for intelligence-sharing related to people trafficking
7	NEW ZEALAND ENGAGES MEANINGFULLY WITH INTERNATIONAL FORA ON PEOPLE TRAFFICKING ISSUES	Continue to participate in international fora and engagement on people trafficking issues

KEY

 ACTION ITEM

 BUSINESS AS USUAL

TIMETABLE	AGENCY RESPONSIBLE	MEASURE
Short:Develop training Medium: Implement training	Police, DoL and Customs	Evaluation of the effectiveness of training materials and provision
Short: Produce intranet web-pages and information materials	Police and DoL	Survey of awareness
Short: Develop and implement a public awareness campaign	DoL	Evaluation of awareness-raising campaign
Short: Scope research Medium: Ongoing research	DoL	Peer review of research undertaken
Short: Undertake Collection Plan (DoL) Redraft Targeting Profile (Customs)	DoL, Customs and Police	Use of intelligence related to people trafficking
Ongoing engagement with the international community about regional trafficking trends	DoL, Customs and Police	Engagement increases the flow of valuable intelligence related to people trafficking
Ongoing	MFAT and DoL	Reporting by agencies on regional meetings, technical assistance and other engagement initiatives



No.

OBJECTIVE

ACTION

8

ASSIST DEVELOPING COUNTRIES TO REDUCE PUSH FACTORS THAT LEAD TO PEOPLE TRAFFICKING

Continue to offer development assistance for anti-trafficking projects in developing countries

9

TRAFFICKERS ARE UNABLE TO FRAUDULENTLY SECURE A NEW ZEALAND VISA FOR THEIR POTENTIAL VICTIMS

Strengthen fraud detection in immigration applications to detect people trafficking

10

STRENGTHEN ONSHORE BORDER SECURITY TO DETECT PEOPLE TRAFFICKING ACTIVITY AT AIR AND SEA PORTS

Develop risk profiles and alerts

11

NEW ZEALAND PASSPORTS AND IDENTITY DOCUMENTS ARE DIFFICULT TO USE FRAUDULENTLY

Enhance the integrity of travel documents onshore and offshore

12

TRAVEL DOCUMENTS AND IDENTITY DOCUMENTS ARE DIFFICULT TO OBTAIN FRAUDULENTLY

Enhance the integrity of issuance processes for travel documents, and provide the guidance required to enhance the integrity of other sources of identity documentation

KEY

 ACTION ITEM

 BUSINESS AS USUAL

TIMETABLE	AGENCY RESPONSIBLE	MEASURE
Ongoing	MFAT and DoL	Statements of accounts for projects/organisations funded. Reporting by agencies on technical assistance, regional meetings and other engagement activities
Short: Develop and implement profiles and risk alerts	DoL	Periodic review
Short: Develop and implement profiles and risk alerts	DoL and Customs	Reports from border staff about suspected trafficking activity
Short: Implement projects including the New Zealand Passport book upgrade and the enhancement of information sharing about lost and stolen passports	DIA	Analysis of fraud occurrences and measurement of uptake of DIA services and standards by other agencies
Short: Promote use of the Evidence of Identity Standard and implement the Identity Assurance Framework	DIA	Analysis of fraud occurrences and measurement of uptake of DIA services and standards by other agencies

PROTECTION

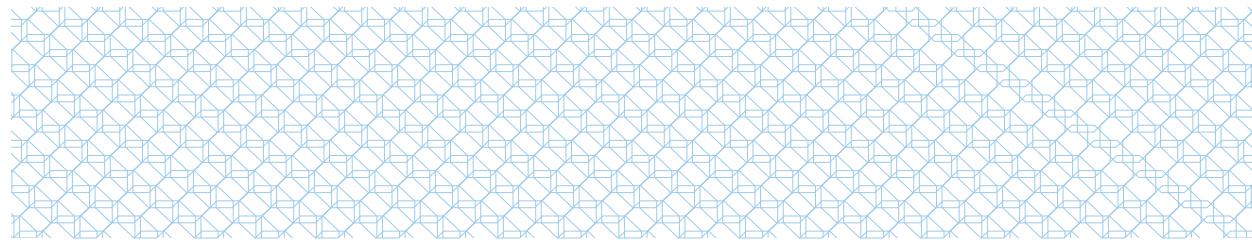
No.	OBJECTIVE	ACTION
13	VICTIMS OF PEOPLE TRAFFICKING ARE PROPERLY IDENTIFIED	Certify any suspected victim of trafficking based on assessment of evidence
14	VICTIMS ARE ASSISTED TO RETURN HOME	Organise and facilitate the repatriation of victims
15	COUNTRIES OF ORIGIN ARE NOTIFIED OF THE CASE	Liaise with the country of origin to encourage it to meet the safety needs of the victim
16	VICTIMS CAN APPLY FOR AN IMMIGRATION STATUS SUITABLE FOR THEIR NEEDS	Develop a policy for victims of people trafficking
17	VICTIMS CAN ACCESS PUBLICLY-FUNDED HEALTH SERVICES	Review Health policies to ensure victims do not face undue barriers to accessing medical attention
18	VICTIMS CAN ACCESS TREATMENT AND REHABILITATION FROM ACC FOR ANY COVERED PHYSICAL OR MENTAL INJURY(S)	Inform victims of their right to access rehabilitation assistance
19	VICTIMS CAN ACCESS HOUSING APPROPRIATE TO THEIR NEEDS	Provide housing assistance to victims of trafficking
20	THE NEEDS OF VICTIMS ARE CASE-MANAGED AND VICTIMS ARE SUPPORTED TO ACCESS SOCIAL SERVICES	Refer victims to case-management and social services provided by publicly funded NGOs and oversee the supports a victim accesses

KEY

 ACTION ITEM

 BUSINESS AS USUAL

TIMETABLE	AGENCY RESPONSIBLE	MEASURE
At the time when a case of trafficking is identified	Police	Reporting on the number of Police certifications issued and withdrawn
Following a humanitarian assessment	DoL	Evaluation of case outcomes
When the victim is repatriated	MFAT	Evaluation of case outcomes
Short: Seek Ministerial agreement for policy	DoL	Policy implementation
Short: Review the Eligibility Direction	MoH	Review of Eligibility Direction considers the needs of victims of trafficking
At the time when a claim is lodged with ACC	ACC	Evaluation of case outcomes
At the time a case of trafficking arises	HNZC and NGOs	Reporting on any housing assistance accessed by victims of trafficking
At the time when a case of trafficking is identified	Police and MSD	Report on services accessed by victims of trafficking and case outcomes



No.	OBJECTIVE	ACTION
21	VICTIMS CAN ACCESS FINANCIAL ASSISTANCE SUITABLE TO THEIR NEEDS	Amend Special Needs Grants Ministerial Welfare Programme to provide financial assistance to victims of trafficking
22	VICTIMS' PHYSICAL SAFETY IS PROTECTED	Assess the potential danger to the victim (and their family back home) and provide appropriate protection

PROSECUTION

No.	OBJECTIVE	ACTION
23	INVESTIGATIONS OF SUSPECTED TRAFFICKING ACTIVITY ARE WELL COORDINATED	Develop a protocol for coordinating inter-agency input to investigations
24	VICTIMS ARE SUPPORTED TO MAKE WITNESS STATEMENTS	Use victim-friendly interviewing techniques
25	VICTIMS ARE SUPPORTED TO PARTICIPATE IN THE CRIMINAL JUSTICE PROCESS	Train advisers on how to assist victims of trafficking (e.g. how best to provide information on relevant court and administrative proceedings)
26	VICTIMS HAVE ACCESS TO CULTURALLY-APPROPRIATE SUPPORT	Interpreters and advisers are available to assist a victim of trafficking

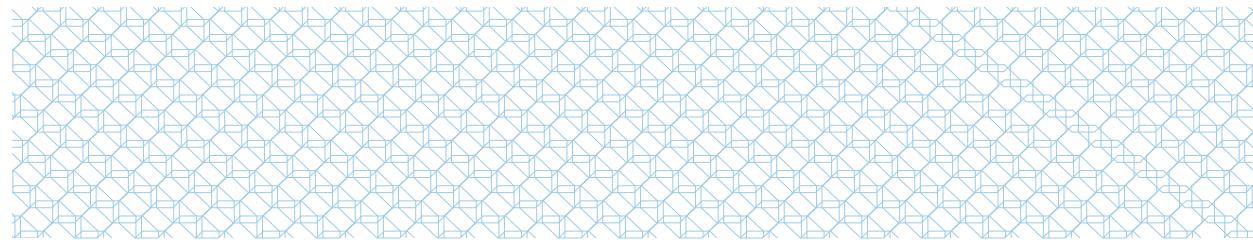
KEY

 ACTION ITEM

 BUSINESS AS USUAL

TIMETABLE	AGENCY RESPONSIBLE	MEASURE
Short: Seek Ministerial agreement to amend the Special Needs Grants Ministerial Welfare Programme	MSD	Reporting on financial assistance accessed by victims of trafficking
At the time when a case of trafficking is identified	Police	Report on case outcomes

TIMETABLE	AGENCY RESPONSIBLE	MEASURE
Short: Identify key contact people and methods of communication	DoL, Police, Customs	Evaluation of investigation process and outcomes
At the time when a case of trafficking is identified	Police	Evaluation of investigation process and outcomes
At the time when a case of trafficking is identified	MoJ	Feedback from victims and advisers
At the time when a case of trafficking is identified	MoJ – funded interpreters	Feedback from victims and interpreting services



No.	OBJECTIVE	ACTION
27	VICTIMS HAVE ACCESS TO INFORMATION ON VICTIMS' RIGHTS IN A VARIETY OF LANGUAGES	Provide access to information for victims of crime by distributing pamphlets and operating a free information line
28	VICTIMS HAVE ACCESS TO SEEKING COMPENSATION FOR DAMAGE SUFFERED	Inform victims of their right to seek compensation

KEY

ACTION ITEM

BUSINESS AS USUAL

