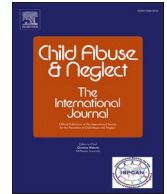




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## Detecting orphanage trafficking and exploitation

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### ABSTRACT

**Background:** There is growing awareness that a proportion of children in orphanages have been recruited or transferred into the facility for a purpose of exploitation and/or profit. These children are often falsely presented as orphans to evoke sympathy and solicit funding. This process is known as orphanage trafficking. Although orphanage trafficking can be prosecuted under legal frameworks in some jurisdictions, including Cambodia, there have been limited prosecutions to date. One factor that likely contributes to a lack of prosecution is poor detection, yet the indicators of orphanage trafficking have not been considered by extant research.

**Objective:** The current study was conducted as a first step towards providing evidence-based indicators of orphanage trafficking.

**Participants and setting:** Professionals who had identified or responded to cases of orphanage-based exploitation in Cambodia were interviewed. Participants included criminal justice professionals, investigators from civil society organisations, and child protection social workers.

**Methods:** Professionals' perspectives on how to identify orphanage trafficking were explored via in-depth interviews, and the data were analysed via thematic analysis.

**Results:** The analysis revealed a distinct set of indicators that may be used to detect orphanage trafficking, including the operation of an unauthorised facility, orphanage tourism and volunteering, and an overt focus on fundraising.

**Conclusion:** The indicators revealed in this study point to the need for an effective and thorough monitoring system for orphanages, as well as adequate education and training of relevant personnel to aid in the detection of orphanage trafficking.

### 1. Detecting orphanage trafficking and exploitation in residential care facilities

Of the millions of children who reside in orphanages worldwide, it is estimated that 80–90 % have at least one living parent (Csáky, 2009; van Ijzendoorn et al., 2020). There is growing awareness that a proportion of these children have been trafficked into orphanages. It is well-established that institutionalisation does not meet children's rich developmental needs, and can lead to debilitating impairments in children's physical, cognitive, and socioemotional health (St. Petersburg-USA Orphanage Research Team, 2008; van Ijzendoorn et al., 2020). Children trafficked into orphanages are additionally subject to one or more forms of exploitation whilst 'in care' (Blakemore et al., 2017).

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Orphanage trafficking is defined as the recruitment or transfer of children into orphanages for the purpose of exploitation and/or profit (van Doore, 2022). It involves both 'acts' and 'purposes of exploitation' that meet the definition of child trafficking under Protocol to Prevent, Suppress and Punish Trafficking in Persons ('UN Trafficking Protocol') (van Doore, 2016). Orphanage trafficking is associated with various forms of exploitation including sexual exploitation, child labour, and servitude (Lyneham & Facchini, 2019; Sherr et al., 2017; Terre des hommes Foundation & UNICEF, 2008). Where orphanage trafficking is for a purpose of profit, it involves the commodification and often fabrication of orphanhood, referred to as paper orphaning (van Doore, 2016). Children harboured in orphanages are posited as orphans to evoke sympathy and solicit funding from donors, child sponsorship schemes, and orphanage tourism and volunteering (Bales et al., 2018; Lumos, 2015).

In 2007, Cambodia ratified the UN Trafficking Protocol and met the obligation to criminalise child trafficking through domestic legislation with the Law on Suppression of Human Trafficking and Sexual Exploitation (2008). While orphanage trafficking is not detailed as a specific offense under the Law on Suppression of Human Trafficking and Sexual Exploitation (2008), it is able to be prosecuted under several child trafficking offenses that are predicated on an initial act of unlawful removal of a child from legal guardianship for a purpose of exploitation, profit, or adoption (see Nhep & van Doore, 2021, for an overview). The Law on Suppression of Human Trafficking and Sexual Exploitation contains offenses for perpetrators involved in all 'acts' of child trafficking, including the unlawful removal (recruitment), transportation (transfer), receipt, and harbouring of a child unlawfully removed for a prescribed purpose. Significantly, the potential for orphanage trafficking to be prosecuted under Cambodian law is facilitated by the inclusion of profit as a specific purpose in child trafficking offenses (Nhep & van Doore, 2021). This criminalizes the most common impetus for the trafficking of children into orphanages.

Despite the enabling legal framework, there have been no prosecutions of orphanage trafficking under Cambodia's child trafficking offenses to date. As with other countries where orphanage trafficking has been documented, for example, Nepal and Uganda (van Doore, 2022), cases involving orphanage trafficking in Cambodia have only been prosecuted where the form of exploitation constituted a substantive offense, usually a child sex offense (Nhep & van Doore, 2023). In many cases, charges related to the exploitation element were prosecuted; however, these tend to carry lesser sentences than child trafficking offenses (United States Department of State, 2018). Nhep and van Doore (2023) found that prosecution of orphanage trafficking in Cambodia was impeded by poor detection due to a lack of awareness of orphanage trafficking, including how it occurs, the parties involved, and the indicators that may give rise to suspicion. Existing victim identification guidelines in Cambodia and the Association of Southeast Asian Nations (ASEAN) region include indicators, however, are biased towards more dated forms of child trafficking and do not capture indicators of newer forms (Rafferty, 2013), such as orphanage trafficking.

Research on orphanage trafficking is a relatively novel area (see van Doore, 2022, for an overview). To date, most research and scholarship has focused on descriptions of orphanage trafficking and how it intersects with orphanage tourism, volunteering, and the orphanage industry (e.g., Guiney & Mostafanezhad, 2015; Higgins-Desbiolles et al., 2022; Lyneham & Facchini, 2019; Miller & Beazley, 2022). More limited studies have examined the nexus between orphanage trafficking and the sexual exploitation of children in travel and tourism (Hawke & Raphael, 2016; Spurrier, 2020). Orphanage tourism/voluntourism and foreign funding have been identified as drivers of orphanage trafficking, which has led experts to call for improved regulation of the use of foreign funding, voluntourism and prohibitions on orphanage tourism and voluntourism as preventative measures (ECPAT, 2016; van Doore, 2020; UN General Assembly, 2023). However, orphanage trafficking endures, and research has not been conducted in Cambodia or elsewhere to investigate the most viable means to detect these offenses.

Previous studies have identified that orphanage trafficking consists of four interrelated activities that may give rise to distinct indicators (van Doore, 2016, 2022). These activities involve: 1) *Recruitment*: Children are actively recruited to the orphanage, often through false promises made to their parents, and are transferred to orphanages (van Doore & Nhep, 2019). 2) *Manipulation of gatekeeping procedures*: Policies that are designed to regulate the proper admission of children into orphanages are manipulated through the creation of fraudulent documents that appear to sever the legal guardianship of parents over their children (e.g., death certificates; Rotabi et al., 2016). 3) *Formalisation of orphanhood*: Children are labelled as orphans and new identity documents may be created to establish this identity and prevent the child's biological family from being traced (van Doore, 2016). 4) *Maintenance*: Children are kept in orphanages where they are subject to forms of exploitation or used to evoke compassion and continually attract funding through orphanage tourism and foreign donations. A survey of the literature suggests that this final aspect may give rise to a particularly overt set of indicators, such as advertising visits to the orphanage and children being forced to perform songs and dances for tourists when they visit (Cheney & Ucembe, 2019; Guiney, 2017). However, further research is required to ground indicators in empirical data. Indeed, to facilitate accurate and timely detection of human trafficking, indicators should be evidence-based and well-tested (Gerassi et al., 2021).

Effective prosecution is essential for combating all forms of human trafficking (Gallagher, 2010), including orphanage trafficking, and detection is the first step in this process. Detection requires identification of the persons involved and indicators of the elements of the crime. As previous research has not explored indicators or means of detecting orphanage trafficking, the current study was conducted as a first step towards providing evidence-based indicators of this practice. To achieve this aim, professionals who had identified or responded to cases of orphanage-based exploitation in Cambodia were interviewed, and their perspective on how to identify orphanage trafficking was explored and analysed. Cambodia was chosen as the site for this research because orphanage trafficking has been well-established as an issue in the country (UNICEF, 2011; United States Department of State, 2018) and a legal analysis for prosecuting orphanage trafficking has been conducted (Nhep & van Doore, 2021). To align with Cambodia's alternative care policy framework the term residential care facilities will henceforth be used as the umbrella term to refer to all specially designated facilities providing group living arrangements for children, where care is provided by paid staff or volunteers. This term encompasses all sites where orphanage trafficking can occur.

## 2. Method

### 2.1. Participants

Stakeholders who had experience responding to cases where exploitation in residential care facilities was implicated were purposively sampled, and participants were recruited across three professional groups: criminal justice (judicial investigators, judges, prosecutors, court clerks, and defense lawyers), investigators (from civil society organisations), and child protection social workers from civil society organisations (CSOs) (who oversee case management for the reintegration of children out of residential care). Participants were recruited from the capital city and five different provinces.

To identify potential participants from the criminal justice system, case law and primary court documents were reviewed to identify provincial courts and legal personnel with direct experience with cases that involved the exploitation of children in residential care. Personnel identified as eligible were then approached for involvement. In a few cases, stakeholders also referred experienced colleagues for participation in the study. To identify eligible CSO investigators, written requests for participation were sent to all CSO investigative organisations that support law enforcement investigations into child trafficking and exploitation crimes. Finally, written requests were made to interview senior social workers and case managers in child protection NGOs involved in the reintegration of children out of residential care. A total of 32 potential participants were approached and given an information sheet about the study. Of these, 27 responded and participated in the study. Participants included 9 members of the criminal justice system (2 prosecutors, 1 court clerk, 2 judges, and 4 victim defense lawyers), 6 investigators, and 12 child protection social workers. The study was approved by Griffith University's Human Research Ethics Committee 2021/453. Provincial courts also approved the participation of court officers identified as eligible for involvement in the study. All participants involved in the study provided written informed consent.

### 2.2. Data collection

A semi-structured interview format was used, allowing the interviewer to flexibly follow topics raised by the interviewee to encourage elaboration. All participants were asked about indicators of orphanage trafficking; further open-ended questions were tailored to each professional group in accordance with their area of expertise. Investigators and criminal justice professionals were asked questions that focused on the progression of cases through the legal system (e.g., the characteristics of the parties involved and barriers to reporting, investigating, and prosecuting offenses). Social workers were asked about the admission and family tracing process for children in residential care, and the characteristics of children they reintegrate into families.

Interviews ranged in length from 1 to 2 h and took place from May to June 2022. The format of the interview was based on each participant's preferences. They were conducted in-person or on Zoom, and individually ( $n = 17$ ) or in pairs ( $n = 10$ ). All pairs were members of the same professional group. Two interviewers were present for all interviews with members of the criminal justice system and one interviewer was present for interviews with social workers and investigators. All interviews were audio recorded, transcribed verbatim, double-checked for accuracy, and de-identified. Interviews conducted in Khmer were translated into English.

### 2.3. Analysis

Responses were analysed via an inductive thematic approach, rather than working deductively from a pre-existing concept of theory (Glaser & Strauss, 1967). The approach to data analysis was also collaborative in nature given the value of interpretative discussion in refining the interpretation of qualitative data (Barbour, 2001). Initially, two researchers read the transcripts, independently noted common themes, and met to discuss identified themes; there was a high rate of agreement. Both researchers subsequently performed a line-by-line analysis (reduction) of the transcripts and identified concepts within statements. Once saturation had been reached (approximately 80 % of the interviews had been coded), the researchers discussed themes that emerged via the reduction analysis. There was a high degree of consensus; any disagreements were discussed and relevant data was reinterpreted in light of these discussions. Once all transcripts had been coded, a thorough written description of the themes with representative quotes was reviewed by all members of the research team; there was consensus on the final list of themes.

These analyses were conducted on the dataset as a whole. Due to the volume of themes that emerged, the current study details a subset of themes that are relevant to the detection of orphanage trafficking and other forms of exploitation in residential care facilities. Quotes representative of the themes are provided to ground the results in the data. Quotes have been edited so that potentially identifying details are removed and grammatical changes have been made to improve clarity and readability.

## 3. Results

Four overarching themes emerged from the study relevant to the detection of orphanage trafficking and exploitation: characteristics of the parties involved, descriptions and indicators of the acts and purposes, behaviours of staff and children and barriers to detection. Each of these is now presented in turn.

### 3.1. Characteristics of the parties involved in orphanage trafficking

Stakeholders identified various parties that were involved in orphanage trafficking and exploitation and provided descriptions of perpetrators involved in different elements of the crime. Stakeholders also described the vulnerability profile of families and children

who were targeted for recruitment.

### 3.1.1. Characteristics of perpetrators

Perpetrators involved in elements of orphanage trafficking included Cambodian and foreign nationals who were broadly described based on the type of residential care facility they were involved with and their role or means of access to children. Perpetrator roles included director, founder, volunteer, donor, caregiver, teacher, and recruiter. In limited cases, perpetrators had no role at the residential care facility, however, gained access to the children as a relative of the director of the facility. Types of residential care facilities that perpetrators were involved with included those administered by non-government organisations, pagodas, churches, the government, and individuals without any association with a registered entity. There was consensus that the director of the residential care facility was instrumental in orphanage trafficking when it occurred. Recruiters ('child finders') were typically staff members of the residential care facility they recruited for, or were relatives of someone who was (i.e., a relative of a staff member, or a friend or associate of the director).

The benefits that recruiters incurred for procuring children were highlighted, and examples typically involved financial compensation, material goods or job security. Other examples situated recruitment within enduring patron-client relationships and associated notions of reciprocity and loyalty.

*I would say a lot of recruitment is through the staff, either to curry favour in the community, to get money or for job security and to make their boss happy. With Cambodian-run orphanages it was more outright bribes, rice and goods in exchange, and job security too.*

(Social worker)

Village leaders were implicated in orphanage trafficking, primarily through their involvement in facilitating irregular admission into residential care facilities. In some cases, involvement was due to intentional complicity: village leaders received payment and/or were instrumental in forging fraudulent documentation. However, it was unclear whether village leaders were cognisant that these acts potentially constituted elements of child trafficking. In other cases, involvement was due to ignorance of proper gatekeeping procedures and unawareness of the adverse effects of institutionalisation on children's development. In these situations, village leaders' involvement was typically motivated by the belief that admitting children to the facility was benevolent and helped the child and their family.

Village chiefs want to help their communities and their poorest families. They get enticed, either through positive social perceptions 'oh look at me I am helping my village' or by financial compensation, to turn over names of people that the recruiters can recruit from. And they have very little understanding of the laws and policies

(Social worker)

### 3.1.2. Vulnerability profile of families

The vulnerability profile of families targeted by recruiters was identified. Overwhelmingly, families were described as low socioeconomic status households residing in remote and rural areas. These families typically have low levels of education, functional literacy, and low social status. Families experiencing stressors or crises such as insecure employment, lack of adequate social support to assist with childcare, divorce, separation, or the death of one parent are typically targeted. These demographic and contextual factors mean they are particularly vulnerable to enticement, deception, and coercion from recruiters: they are actively seeking support yet have limited knowledge of their rights, gatekeeping procedures, and the lawfulness of admission-related agreements or contracts they are asked to adhere to by orphanage staff.

*Most of these children were from lower socio-economic families, with parents who had low education levels, and insecure employment, such as day laborers. They were easy to trick and deceive... They were more vulnerable to relinquishing their children to someone who presented them with a so-called opportunity or offered them a gift, or money in exchange for relinquishing their child to the orphanage.*

(Social Worker)

Stakeholders also noted that recruiters target areas of high migration and informal settlement where many families lack identity documents, are not registered with local authorities, and local authorities lack familiarity with the family's situation. These contextual factors mean that recruiters can secure cooperation from local authorities more easily and can falsify identity documents, facilitating the removal of children from their community and admission into residential care.

## 3.2. Descriptions and indicators of acts and purposes of orphanage trafficking

Stakeholders described a variety of activities that comprised the elements of acts and purposes of orphanage trafficking. This included descriptions of the manipulation of gatekeeping procedures to facilitate unlawful removal and admission; altering identity to facilitate paper orphaning; maintenance of children in residential care through deception, coercion and threats, and purposes of profit, illicit adoption and sexual and labor exploitation. For each act or purpose described, participants listed indicators that aided detection.

Additionally, stakeholders described behavioral indicators that can be observed in children and orphanage staff during reintegration casework or investigation. Each of these sub-themes is now described in turn.

### 3.2.1. Manipulation of gatekeeping procedures

Stakeholders highlighted two primary sources of administrative irregularities that indicate violations of gatekeeping mechanisms and give rise to suspicion of unlawful removal and orphanage trafficking: registration status of the residential care facility and admission documentation.

Registration status was regarded as a key indicator of unlawful removal. Non-registered facilities do not have legal authority to operate or receive children into their care. Mandated authorities are not permitted to refer children to unauthorised residential care facilities. Therefore, all children residing in unauthorised facilities can be classified as unlawfully removed and admitted.

Stakeholders reflected on improvements in the enforcement of residential care regulations, including gatekeeping, yet noted that many unregistered and/or substandard facilities have remained in operation with full knowledge of mandated authorities. Penalties for operating an unauthorised facility and for unlawful removal have not been routinely enforced. Some operators have evaded regulation and penalties by using personal networks and patron-client relationships forged with mandated authorities or higher-level patrons. The risk of exploitation was perceived as particularly high in these facilities.

Stakeholders acknowledge that registration does not safeguard against exploitation in isolation of other measures. Numerous examples were given wherein exploitation had occurred in registered facilities. Many of these facilities used patron-client relationships to shield them from enforcement of regulation and investigation. Particular concern was expressed about religious facilities since these institutions were often registered with the ministry with responsibility for religious affairs rather than the ministry with responsibility for residential care facilities. Stakeholders noted that inappropriate registration resulted in jurisdictional challenges with monitoring and intervening when abuse or exploitation was reported.

Irregularities in admission documentation were widely acknowledged as indicators of recruitment and unlawful removal. Stakeholders noted that intake documentation is rarely completely lacking and identified a variety of indicators within children's files that should raise suspicion. Indicators included a history of being transferred from one residential care facility to another, incomplete or absent intake forms, unclear justification for admission into care and omitted information on the identity and location of the children's parents. In addition, scrutinising admission documents to ascertain whether non-authorised government officials were involved in the admission, or whether admission was facilitated by authorities operating outside of their jurisdiction (e.g., in the district where the facility is located rather than the district of origin of the child).

*When you get a normal referral, it should be pretty clear cut. This child came from this place and they were referred because the mum died and the dad was a drunk and the kids were neglected. It should be like that. But when it is muddled, unclear and no investigation was done, then that is a red flag.*

(Social worker)

### 3.2.2. Altering children's identities

Stakeholders described the common occurrence of altering aspects of the identity of children in residential care, in connection with orphanage trafficking. Identified practices included falsifying a child's orphan status in official documents, changing a child's name, issuing fraudulent birth certificates, embellishing, or fabricating stories of orphanhood, abandonment or extreme maltreatment in donor communications, forcing children to pose as orphans for visiting donors, and dressing up boys as girls to target donors specifically interested in supporting vulnerable girls. Specific examples revealed three purposes for altering a child's identity; to facilitate irregular admission, to heighten donor compassion and elicit donations, and to facilitate illicit adoption. All three purposes were linked to generating profit for orphanage directors.

*It was quite typical for a child to be named David or Moses, and the idea was to give the child a new identity and erase the identity the child was born with. This idea of starting a new life was about distancing them from their old life, including their family. It was also about filling up the orphanages. Having a new Christian name somehow excites Christian donors so they get more money in the end. So, there is an element where it was connected to profiting.*

(Social Worker)

Stakeholders described a range of indicators of paper orphaning that can be detected by examining children's identity documents. Stakeholders described looking for evidence that children have been renamed upon admission, in particular, given new names that appeal to foreign donors (e.g., non-native and biblical names). Another cause for suspicion was orphanage directors listed as the children's parents in formal identity documents. Stakeholders noted that recruiters were also sometimes listed as the parent on children's birth certificates, potentially alongside changes to the children's surnames to match that of the recruiters'. In some cases, the recruiter was listed as the parent of multiple children in the facility, despite other intake and identity documents highlighting the implausibility of a biological relationship between the children.

*When we began looking at the identity documents and investigating the circumstances around the children's admission in one RCI, we discovered that this person had brought two children to the RCI, claiming they were both her children, but they were born only one month apart, so we see that it is a fake document.*

(Social Worker)

The commune office listed on the child's birth certificate was identified as another potential indicator of whether a child's identity had been altered. Specifically, concern was raised when multiple children had birth certificates issued by the same commune office in close temporal proximity to the residential care facility.

Stakeholders noted that discrepancies between information shared with donors and administrative records should raise suspicion. Several stakeholders recommended comparing admission records with child sponsorship lists to ascertain whether residency numbers had been inflated. Parents and community members were identified as rich sources of information, who could often confirm whether children in the surrounding community attend the facility to pose as orphans during donor visits. In addition, parental testimony could help to uncover discrepancies in reasons given for the child's admission.

*It's not too difficult to prove if you can show that the kids are being deliberately held in poor conditions, not being fed properly, being told to act for tourists coming in, getting brought from houses around the villages, to pretend they're orphans, all for the purpose of getting money for the orphanage owner.*

(Investigator)

To detect false information in children's files, stakeholders recommended the general strategy of closely examining admission and identity documents and child sponsorship/donor records to look for inconsistencies and improbabilities, within and across child files. In addition, stakeholders recommended attending to discrepancies between these documents and other sources of information, including information obtained during reintegration assessments.

*We've met with traffickers who told us they got this child from a rubbish dump, and we've come to learn that the child has a family and was with their mother when the trafficker took them. The traffickers sent the image of the child with this false story that this child was found in a rubbish bin to donors overseas to attract funds. When we investigated, we found out none of it was true.*

(Social worker)

### 3.2.3. Maintenance of children through deception, coercion, or threats

Stakeholders described how the maintenance of children in care long-term was often predicated on deception, coercion, and threats made against families. False promises of a better life and conditional offers of support, including gifts, payments, ongoing stipends, future opportunities, and free education in an urban area, were routinely made to families to persuade them to relinquish their children into care long-term. Ongoing support or expectations were perceived as particularly effective in discouraging families from seeking the return of their children. Stakeholders expressed concern that orphanage trafficking was facilitated by a lack of knowledge about trafficking coupled with trust of persons representing NGOs and positive community sentiments towards residential care.

*The directors would make threats to parents saying, 'If you visit your child we'll stop all support for your child.' And because of their economic situation and their concern for their children, they don't come. We had one parent report that they'd had no contact with their child for 4 years because of threats like this.*

(Social worker)

Numerous stakeholders noted the use of verbal or written agreements to maintain children in care long-term. Agreements between directors and families often included restrictions on family contact and removal of children from the facility before a prescribed time, and threats of legal or financial penalties should families breach these terms. Stakeholders noted that families' lack of understanding of laws and their rights gives effect to these agreements, despite being void under the law. Stakeholders noted that in most cases, indicators of deception, coercion, or threats were identified during interviews with families; these indicators included contracts, agreements, payments or threats of penalties. Less often, contracts were found in children's files, or financial audits uncovered payments made to families.

*Some parents told us that they were threatened or coerced when their children were taken into the orphanage or they were threatened if they tried to visit their children. The directors would make threats to parents saying 'If you visit your child we'll stop all support for them.' And because of their economic situation and concern for their children, they don't come. We had one parent report that they'd had no contact with their child for four years because of threats like this.*

(Social Worker)

*For children coming from their families, we ask for detailed information from the families and find out that some have received payments from the recruiter or the director. There is no evidence of this in the children's files.*

(Social worker)

### 3.2.4. Profit

Investigators, child protection social workers, and some criminal justice professionals noted the common practice of institutionalising children for profit and highlighted a range of practices that indicate profit as a purpose. This includes a heightened focus on soliciting donations, including through orphanage tourism, intentionally maintaining poor standards of care, lax child safeguarding, nepotism in staffing arrangements and misappropriation of donations and assets.

Stakeholders' responses suggested that when children are institutionalized for profit, there is an overemphasis on fundraising, including from overseas visitors and volunteers. Several stakeholders noted that facilities are often strategically placed in locations where tourists are likely to visit. Overt indicators included advertisements promoting visits to the orphanage, the number of tourists visiting, children performing shows for visitors and signage stipulating fees for visits or to take children on trips (e.g., to the market). Stakeholders noted that children's behaviour towards visitors could also indicate orphanage trafficking. Examples given included

evidence that children were coached on how to behave for visitors, (e.g., rubbing mud on their faces before tourists arrive, wearing ragged clothes and displaying affection to visitors) or used to encourage donations, including being trained how to massage visitors. Indiscriminate affection displayed towards visitors may also indicate the prevalence of orphanage tourism.

*A lot of them made the kids stay dirty. When they saw you coming, they'd run away and come back dirty. They knew what to do when the foreigners turned up. They'd play a role and they'd been told what to do, and a lot of these were kids from families living in the surrounding community, who had been brought in for the tourists to come.*

(Investigator)

Stakeholders noted that a heightened focus on soliciting donations can also manifest in frequent online appeals and fundraising campaigns targeting overseas donors. Inflating admission numbers and confabulating stories about tragedies alongside requests for donations (e.g., floods, children falling out of trees) were specific examples given. Stakeholders suggested these indicators can be detected by examining donor communication materials, including child sponsorship campaigns and social media appeals, and through discussions with donors.

Stakeholders referred to a class of indicators that signified that funds donated to the centre were being misappropriated to profit the director. One of the primary indicators in this category was low standards of care. Stakeholders noted that directors who received adequate funding yet housed children in subpar facilities, had low caregiver-to-child ratios and/or provided inadequate amounts of food, were in many cases profiting from donations rather than spending them on the children's care. Stakeholders noted that personal profit can be indicated when directors have relatively lavish lifestyles compared to children's living conditions. Deliberately maintaining poor standards of care was described as a fundraising strategy employed by some directors to encourage donors and visitors to provide additional funding to ameliorate poor conditions.

Maintaining poor standards of care for profit purposes was also linked to lax child safeguarding. Stakeholders were in agreement that facilities that profit from children's institutionalisation are not motivated to invest in child safeguarding. In some examples given, poor standards posed a serious child safeguarding risk. Stakeholders expressed particular concern about poor sleeping arrangements, such as multiple children sharing one bed and mixed gender sleeping quarters. These conditions were perceived as conducive to child-on-child abuse. The absence of child safeguarding frameworks in residential care facilities can therefore indicate profit in conjunction with orphanage trafficking. The value of this indicator was aptly described by one social worker who stated that facilities involved in orphanage trafficking often lack clear child safeguarding policy frameworks because operators' involvement is for a purpose other than the best interests of the children.

*Almost 100% of the poor standards were employed to maintain the façade rather than the directors not wanting to spend money on the children's care. In the orphanages we investigated, standards were intentionally kept low to evoke sympathy and get money...It was just a money-making scheme and how do you make money, you make everyone look terrible.*

(Investigator)

Nepotism in facility operations was identified as another factor that is common in facilities involved in orphanage trafficking. This organisational structure enables members of the director's family to benefit from income generated through donations. Stakeholders gave examples of cases where the director's family members had received inflated salaries despite minimal involvement with the facility. Stakeholders expressed concern that arrangements in which staff are relatives of the director or members of their extended network precludes disclosure of financial misappropriation, profiteering or other forms of exploitation, as the director has enhanced control over information sharing.

*The staff were all the relatives of the director. It was a family business they had set up to traffic and profit from children. They set it up so it was all under the control of their network, from the director, to caregivers, to the cooks, cleaners, admin, accountants - they were all relatives. So, it was very easy for them to run this trafficking operation and keep it silent, because it was all in-house, and under their network and control.*

(Social worker)

Misappropriation of funds or assets for personal use was another indicator of profit as a purpose of orphanage trafficking. Profiting from real estate was specifically identified as an activity that should raise suspicion. One criminal justice professional shared their experience with cases wherein residential care facilities had been repeatedly moved to cheaper plots of land, enabling the director to profit from the difference between the land sale and purchase price. The difficulty of investigating these cases was emphasized. At the time of the interview this stakeholder had been closely monitoring one such case, however due to challenges in establishing a profit motive, had yet to take any investigative action.

*In these cases, the perpetrator might exploit the children for labour and use them to clear the new land that they will move the orphanage to in an exchange that profits the director. He might use them to build some of the structures on the property. For example, he might initially build temporary wooden structures and use the children to build these. Then when he exchanges the land, he will use the money raised for construction to hire builders to build the house or building he wants to profit from.*

(Criminal justice professional)

Analysis of financial activity, including through external audit, was recommended as a key strategy to detect misappropriation of funds for personal use which may indicate the purpose of profit. Stakeholders acknowledged that despite the value of this evidence, detecting misuse of funds is often complicated by lack of adequate record keeping. In these cases, it is often difficult to discern whether

poor record keeping was attributable to financial misappropriation or poor financial management systems.

### 3.2.5. Sexual abuse and exploitation

Sexual abuse and exploitation were identified as common in facilities involved in orphanage trafficking. In some examples given, sexual abuse occurred due to poor standards of care and lax child safeguarding, however, was not the purpose of the child's recruitment. Perpetrators in these cases included caregivers, teaching staff and less often, former residents and relatives of the director. Stakeholders noted that poor standards of care also enabled child-on-child abuse (e.g., due to lack of supervision and inappropriate sleeping arrangements). Stakeholders expressed strong concerns about the safety of orphanage tourism and volunteering, which left children vulnerable to sexual abuse and exploitation at the hands of volunteers and visitors.

Founders and directors of residential care facilities were implicated in the majority of cases where sexual exploitation was the purpose of recruitment and admission into care. In many of these cases, directors had groomed their targets, employing a variety of grooming practices, including affording special privileges in the facility, awarding gifts (e.g., clothes, a cell phone), isolating children, and showing them pornography. In some of these cases, staff was indirectly implicated because they had turned a blind eye. In these situations, the perpetrator was typically regarded as an influential figure (e.g., founder, director, principal donor) who staff felt a sense of loyalty towards. A few stakeholders referred to cases in which the director had instrumented the commercial sexual exploitation of children, in connection with transnational child sex offenders. In most of these cases, detection occurred through disclosures made by children or reports of exploitation made by their families.

*Some children disclosed to the social workers that they were called into the office and there would be other children in there, and that the director would lock the door, show them pornographic videos and direct them to mimic the videos by touching each other.*

(Social worker)

Stakeholders expressed particular concern about the pervasiveness of sexual abuse and exploitation in religious care facilities, especially Buddhist Pagoda-based care facilities. Stakeholders identified inter-ministerial and jurisdictional issues, and the general reverence afforded Buddhist institutions as impediments to monitoring, investigation, and prosecution of crimes in these facilities. Concerns about opaque operations and the ensuing risk of sexual abuse and exploitation were also echoed for Christian and Muslim residential care facilities.

### 3.2.6. Labor exploitation

Child labour was also identified as a form of exploitation in numerous cases of orphanage trafficking. Examples were given where children were forced to clear land or work on rice fields owned by the directors, beg, or provide domestic labour in the director's home. The forced involvement of children in orphanage tourism (performances, providing massages to visiting tourists) was also characterised by several stakeholders as a form of child labour. Child labour was often co-occurring with other forms of exploitation, including sexual exploitation and the purpose of profit.

*In one case, the perpetrator was the manager of an orphanage and he used children to do many tasks that exceeded the limits of normal work or chores. However, he was only interested in one particular child. When the other children were resting, he would exploit this child, getting them to do labour as a means to isolate them and enable the sexual abuse. He was exploiting the child to satisfy his own sexual desires in various ways. He would give the child whatever they wanted and used various methods to groom the child to facilitate the exploitation.*

(Criminal justice professional)

### 3.2.7. Illicit adoption

Several stakeholders described cases where children had been recruited into residential care facilities for the purpose of fraudulent adoption. In these cases, deception and the abuse of family vulnerability were identified as key means used to convince families to agree to their child's admission into residential care. Stakeholders noted how many of these families were not aware that their children were being adopted and had not given consent. Falsified documents were often used in the process of fraudulently declaring the child eligible for adoption. Some stakeholders also referred to the practice of exploiting legal loopholes pertaining to guardianship and naturalisation as a means of bypassing intercountry adoption requirements and facilitating fraudulent adoptions.

*It was adoption cases. It was precipitated by the fact that the parents were expecting their children to come back from the orphanage and education in Phnom Penh or abroad and the children weren't returning. It took families that long to realise their children had been adopted. They had in some cases been strung along by the director with reports of, "Oh yeah your child is doing well", and they felt they still had some relationship. It was the point at which the deception became evident that the families came forward with complaints.*

(Investigator)

## 3.3. Behaviours of staff and children

Stakeholders affirmed the importance of being attentive to the behaviour of staff and children to detect indicators of orphanage trafficking and exploitation. Lack of cooperation from directors and staff during reintegration efforts was perceived as a strong indicator. Social workers noted that directors often prioritised children with disabilities or behavioral issues for reintegration and



resisted efforts to reintegrate other children to protect their vested interests. Stakeholders gave examples of the ways that directors and staff had frustrated reintegration efforts; these included evading communication, sending staff with unrelated roles to meetings and training, preventing access to child files, and hovering during interviews with the children to prevent information-sharing and disclosures. More blatant forms of obstruction included providing inaccurate information to undermine family tracing efforts, coercing and threatening parents to prevent their cooperation with reintegration and coercing, manipulating, and inciting children to sabotage their own reintegration. In addition, a small number of social workers gave examples of where directors had disappeared or discredited children who possessed information that could lead to the detection of orphanage trafficking before reintegration casework could commence.

*The demeanour of the orphanage director and staff can be a clue and indicate that trafficking or exploitation has occurred. For example, if they don't want to cooperate, they're not forthcoming, or they frustrate efforts to gather information and don't want us to access the information they have. They may lie to discourage us from pursuing reintegration and tracing by saying, "I don't see how you could reintegrate this child because who knows where their parents have gone." But if we're only hearing this from them, and there is no evidence to back it up or even proper documentation in their files, it may not be true. Some orphanages, albeit the minority, they refuse to let us access the files. They try to hide the information from us and prevent us from accessing it. They withhold it and don't want us to find out the stories of the children*

(Social worker)

Children's behaviour was identified as another indicator of exploitation. Stakeholders noted that isolated, withdrawn, and violent behaviours can indicate abuse and exploitation. These behaviours were often discerned by those external to the orphanage, including family, friends, or teachers at the child's school. Several stakeholders asserted that a change in children's demeanour was often evident during assessment-related interviews, particularly when questions were asked about the child's background and how they came to live at the facility. In some case examples given, children appeared nervous, and concerned about staff overhearing conversations conducted with social workers, and displayed behaviours such as evading eye contact, looking over their shoulder, refusing to respond to questions and fidgeting. In other examples, multiple children responded to questions in ways that indicated they had been coached and provided with scripted answers. Stakeholders noted these behaviours can indicate threats and coercion to prevent children from disclosing exploitation. Conducting investigative interviews in these cases, particularly while children remained in care and under the control of the perpetrator, was identified as a serious child protection risk. Illustrative of this notion, one stakeholder reflected on a case wherein children had been subject to escalating abuse after the director became aware they had disclosed details of exploitation during interviews.

*In unregistered orphanages, children are more likely to have been exploited or threatened and are unwilling to talk out of fear. We can see it via the staff's actions and the children's reactions. The way the staff speak to the children indicates threats and use of power to make the children afraid. When this is happening, it's not possible to reintegrate children. It's important to distinguish when these risks exist. There was one case where the staff were physically abusing the children.*

(Social Worker)

### 3.4. Barriers to detection

Stakeholders raised several barriers to the detection of indicators of orphanage trafficking. Barriers included discerning stakeholder motives, differentiating between poor practice and indicators of orphanage trafficking, and general levels of awareness of orphanage trafficking and its indicators amongst mandated authorities.

Stakeholders across all groups affirmed the difficulty of determining the motivation underlying practices designed to elicit donations. In particular, they noted the difficulty of distinguishing between legitimate fundraising for operations, and the commodification of children for personal profit. Criminal justice professionals were particularly expressive in highlighting how these challenges complicated investigations and the identification of orphanage trafficking crimes.

*It's difficult to distinguish between what is and isn't a crime when it comes to profiting. When it comes to sexual exploitation, it's clearer, but with profit as the purpose, it's difficult to distinguish and differentiate. Sometimes the orphanage directors recruit children under the guise of helping them, but in reality they receive funds for personal gain.*

(Criminal justice professional)

Stakeholders noted the difficulty of detecting orphanage trafficking based on documentation alone. Residential care facilities involved in orphanage trafficking operate at various levels of professionalism. Although overt mistakes and gaps in documentation are common at facilities that engage in criminal behaviour at low levels of professionalism, other facilities constitute professional crime rings, and these organisations can present documentation that appears complete and legitimate. Irregularities in these contexts can be difficult to detect. Stakeholders noted that poor documentation is commonplace. In some cases of legitimate referrals, children's files are incomplete, particularly in cases where an emergency expedited the child's admission to the facility.

*These orphanages are careful and cautious, and they will thoroughly cover their tracks if they're doing this as a professional business. Sometimes you might think, the orphanages without the documents are the concerning ones, but these professional operations, they might have all the right documents, and they look proper. They might be 80% accurate, and that's hard to detect because even in legitimate cases of referral a child might not come with 100% of the information, so that alone isn't a reliable indicator.*

(Social worker)

Stakeholders noted the pervasive challenge of low levels of understanding of orphanage trafficking amongst authorities for detection and identification of victims and perpetrators. Particular concern was expressed regarding the lack of ability to detect unlawful removal and irregular admission, which results in a failure to identify perpetrators involved in the acts of recruitment, transportation, and receipt of a child unlawfully removed.

*Lack of awareness is a big issue, and the local authorities are really important. They are the ones that are most likely to have visibility, and if they don't understand the risk indicators and the indicators for identifying victims, they might not suspect that anything is happening.*

(Investigator)

*When the investigation remains only partial, and they only identify and prosecute those involved in the exploitation, other perpetrators keep evading the law, and there is nothing to deter them from continuing. They've nothing to fear. So it has the reverse effect- it incentivizes trafficking.*

(Investigator)

#### 4. Discussion

This study was the first investigation into how to detect orphanage trafficking, and a distinct set of indicators emerged. These included indicators of unlawful removal, recruitment or transfer into a residential care facility, as well as exploitation, profit, and illicit adoption. Numerous challenges and barriers to detecting orphanage trafficking were also identified, and in the following section, we discuss these challenges and the policy implications of our findings in greater detail.

Indicators identified differed in degree of overtness, ranging from explicit indicators (e.g., advertisements promoting visits to the facility), to relatively subtle signs, such as well-forged documentation and abnormal behaviours from children and staff. Most indicators fell into the latter range of the spectrum: they were somewhat covert and could only be identified upon access to the facility, interaction with the children and staff, and through more comprehensive investigative techniques (e.g., analysis of documentation). It is also worth noting that stakeholders referred to multiple indicators in each interview, suggesting that orphanage trafficking is more likely when multiple indicators are present. The complexity in detecting orphanage trafficking underscores the importance of sensitising mandated child protection authorities to indicators of orphanage trafficking and utilising inspectorate systems to detect and identify victims (Nhep & van Doore, 2023; Rafferty, 2013; UN General Assembly, 2019).

The process of detecting orphanage trafficking is further complicated by the challenge of ascertaining the intention underlying many of the indicators and determining whether the threshold for exploitation has been reached. This was the case, for example, with fundraising activities, including orphanage tourism, where stakeholders expressed the difficulty of determining at what point it signified the purpose of profit. Similarly, irregularities in financial records or children's documentation could be due to a lack of professional standards rather than orphanage trafficking. These findings support existing recommendations from experts and treaty bodies to enact regulation of foreign funding and voluntourism, including prohibitions of orphanage tourism/voluntourism (UN General Assembly, 2022, 2023). In addition to enhancing prevention, regulatory measures of this nature would remove the ambiguity surrounding the most overt indicators of profit and therefore improve detection and victim identification.

The findings of this research have other important implications for policy in the areas of alternative care, victim identification in human trafficking, and capacity building across law enforcement and the social service workforce.

First, although the findings indicated that children, their parents, and community members can provide valuable evidence about suspected orphanage trafficking, the risks of interviewing children were also emphasized. Specifically, stakeholders were concerned about non-routine interviewing (interviews not conducted as a part of reintegration casework, or inspections), as a means for *detection* in cases where children remain in the care, and under the control, of the perpetrator. In this context, non-routine interviewing may alert perpetrators to suspicion and give them the opportunity to respond by threatening, coercing or further harming children to prevent disclosure. The closed nature of institutions, lack of transparency, and abuse of power and dependency inherent to institutional abuse, make residential care facilities high-risk environments for victim coercion or harm (Spröber et al., 2014; van Ijzendoorn et al., 2020). It is therefore recommended that non-routine interviewing of stakeholders to gather information about indicators of orphanage trafficking is deferred until children have left or been removed from the care setting, or the suspected perpetrator has been removed. It may be appropriate to interview individual children who have already left the facility, particularly if they make a disclosure, even if other children remain in care. In these cases, interviews can be conducted away from the residential care facility and likely without alerting the director or staff. This may minimise the risks to children still in care. However, it is advisable to conduct child protection risk assessments prior to interviewing children or other stakeholders to ensure interviewing approaches are risk informed. Ultimately, these considerations are likely to mean that stakeholder interviewing is more appropriate in the investigation stage, rather than as a means of *detection*.

Second, the onus for detection should be placed on personnel who come into regular contact with children and young people in residential care facilities and who have routine opportunities to look for administrative anomalies in files and to gather information from children. This includes mandated child protection authorities responsible for inspecting residential care services and social workers responsible for reintegration case management. It is essential that these professionals are adequately equipped to detect

indicators of orphanage trafficking. The development of an empirically validated, trauma, and risk-informed screening tool for orphanage trafficking that can be integrated into inspectorate tools, victim identification procedures and case management workflows would likely assist in this process (Greenbaum et al., 2018; Middleton & Edwards, 2021; Peterson et al., 2022). The evidence-based indicators of orphanage trafficking that emerged in this study provide a first step towards the development of such an instrument.

Third, the findings point to the need to consider training on orphanage trafficking and its indicators in criminal justice and social service workforce capacity-building plans. Research indicates that there is limited awareness of orphanage trafficking and its indicators in Cambodia (Nhep & van Doore, 2023) and training is not routinely provided to frontline authorities. Yet, training facilitates victim identification and is a key component of an effective criminal justice response (e.g., Gallagher, 2010; Rafferty, 2013). Personnel who should be prioritised in receiving training on orphanage trafficking and indicators of its occurrence include mandated child protection authorities and social workers and case workers, who hold responsibilities for monitoring residential care facilities, gatekeeping, reintegration, and the provision of care leaver and aftercare services (Middleton & Edwards, 2021; Nhep & van Doore, 2021). Law enforcement and criminal justice professionals with responsibilities over investigations, charging, and prosecution, should also be targeted for training on indicators of orphanage trafficking to enhance their capacity to recognise and respond to suspected cases of orphanage trafficking appropriately. Multidisciplinary training events may improve awareness and enhance cross sector collaboration in detection and referral (Awerbuch et al., 2020).

As a first step towards generating recommendations on identifying human trafficking, the current study focused on Cambodia; it is not known to what extent the indicators produced in this study are generalisable. Yet an overview of the literature suggests that similar practices arise in different contexts. For example, experts have raised concerns about children having to perform shows and dances in Kenya, and Zimbabwe (Cheney & Ucembe, 2019; Dadirai Gwenzi & Ringson, 2023), being kept in minimal conditions to elicit sympathy in Ghana and Haiti (Frimpong-Manso, 2021; Lumos, 2015), and falsified paperwork in Nepal and Liberia (Parwon, 2006; Punaks & Feit, 2014; van Doore et al., 2023). Further research is needed to confirm the generalisability of the indicators produced in this study to different geographical contexts. Screening tools, which should be developed in accordance with evidence-based indicators, may need to be tailored to different contexts (Gerassi et al., 2021).

The present results should be considered with respect to several limitations. First, despite invitation, some key stakeholder groups in Cambodia could not be interviewed, limiting the range of perspectives included in this study. Interviews with police officers and mandated child protection authorities could enhance findings and should be considered in further studies. Second, it is important that any screening tools developed include indicators that are evaluated against an objective standard (e.g., verified cases of orphanage trafficking) in addition to expert opinion; the current study provides the groundwork for informing further research in this area (Maxim et al., 2014; see Simich et al., 2014, for an example).

## 5. Conclusion

Orphanage trafficking is a relatively new issue, and it is essential that frontline personnel are adequately equipped for detection. The development of accurate and reliable indicators of orphanage trafficking is a key component of effective detection and victim identification. In this study, a clear set of indicators emerged. The findings pointed to the value of integrating indicator-based screening tools in inspectorate, victim identification and case management systems, and the need for training of personnel across social service and criminal justice workforces to enhance detection capacity. Supporting personnel in these ways is important to enhance the identification, prosecution and prevention of orphanage trafficking crimes, and to initiate an effective criminal justice response when children's right to be protected from trafficking, abuse, and exploitation is violated.

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## Declaration of competing interest

None.

## Data availability

The authors do not have permission to share data.

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