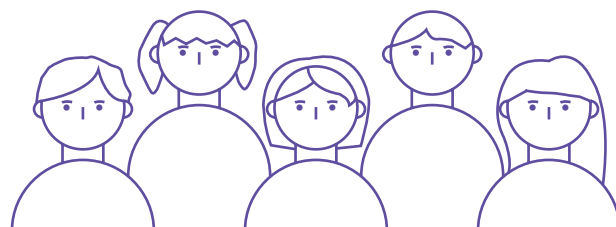


# Measuring Deterrence for Commercial Sexual Exploitation of Children in Maharashtra

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SLAVERY

## BASELINE SUMMARY NOTE



### Why study deterrence?

India remains a major hotspot for commercial sexual exploitation of children (CSEC),<sup>1</sup> a crime that is becoming increasingly hidden and difficult to fight. While prevalence data is challenging to obtain and estimates are speculative, several entities have sized the population of victims who are minors in India between **300,000 to 600,000**, which is more than anywhere else in the world.<sup>2</sup>

CSEC business models include multiple stakeholders who coordinate with each other, driven by the promise of higher profits relative to trafficking adults. It is also perpetuated by buyers willing to pay higher margins for youthfulness. It is believed that deterrence of criminal behaviors—both on the part of traffickers and of buyers—can serve as an effective measure to prevent CSEC.

### Framing and research questions

GFEMS has commissioned a two-part study to measure and track deterrence among CSEC stakeholders in Maharashtra. The study has been operationalized in areas of intervention where two prominent anti-trafficking organizations have been administering rule of law activities.

### Main research questions



1 What is criminal deterrence and how do you define it in the context of CSEC?



2 To what extent do we see the relevant and necessary external conditions<sup>3</sup> in place to serve as the basis for deterrence?



3 To what extent are criminals and potential criminals aware of these external conditions? What are their perceptions and attitudes related to these conditions?



4 To what extent have these external conditions deterred criminals and potential criminals from CSEC? What evidence is available?

<sup>1</sup> Commercial Sexual Exploitation of Children (CSEC) refers to the sexual exploitation by an adult of a child below 18 years that involves a transaction in cash or in kind to the child or to one/ more third parties (ILO).

<sup>2</sup> ILO 2017, National Aids Control Organization 2017, PM Nair 2005, Prajwala (website, undated). The global figure for CSEC is sourced from ILO, "Global Estimates of Modern Slavery," 2017.

<sup>3</sup> External conditions refer to the conditions which influence the environment CSEC criminals operate in. In this study, external conditions refer to economic, legal, social and technological conditions (explained in detail in Section IV).

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### Methods

To answer these questions,

we did the following:

1



#### Created a definition and framework

for understanding deterrence in the context of CSEC, drawing upon existing deterrence literature and our understanding of CSEC in India based on prior projects, a thorough literature review, and interviews with experts.

2



#### Developed a set of tools

that can be used by GFEMS and other actors fighting CSEC to identify activities and interventions to drive increased trafficker and buyer deterrence.

3



#### Implemented the first phase of the study

using Maharashtra as a case study.

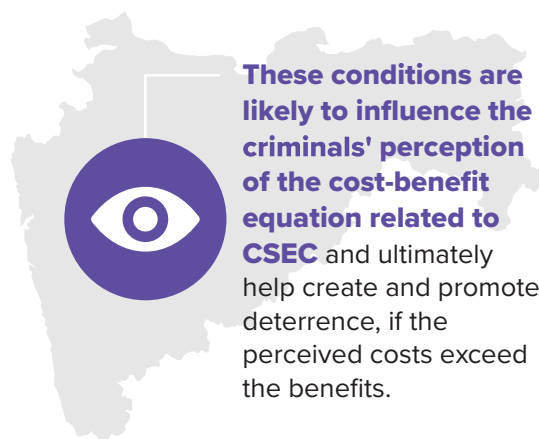
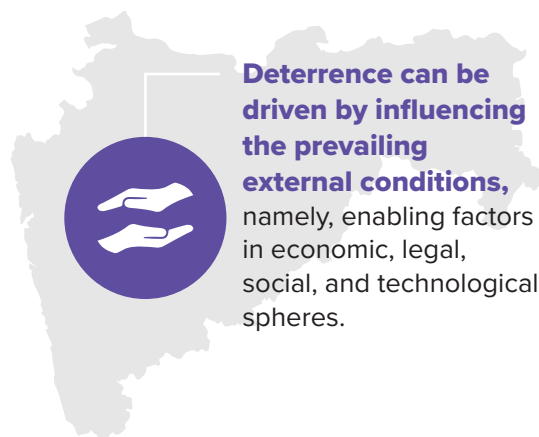
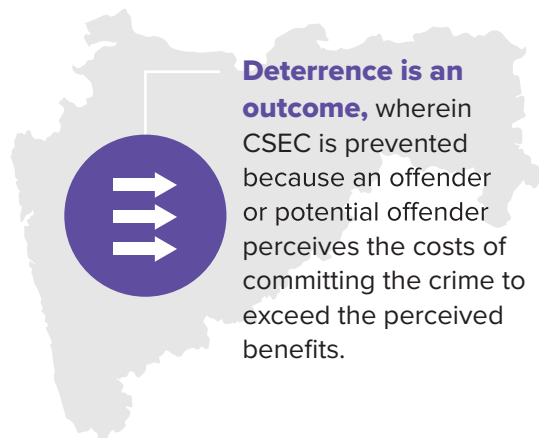
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#### Reflected on the lessons learned from this experience,

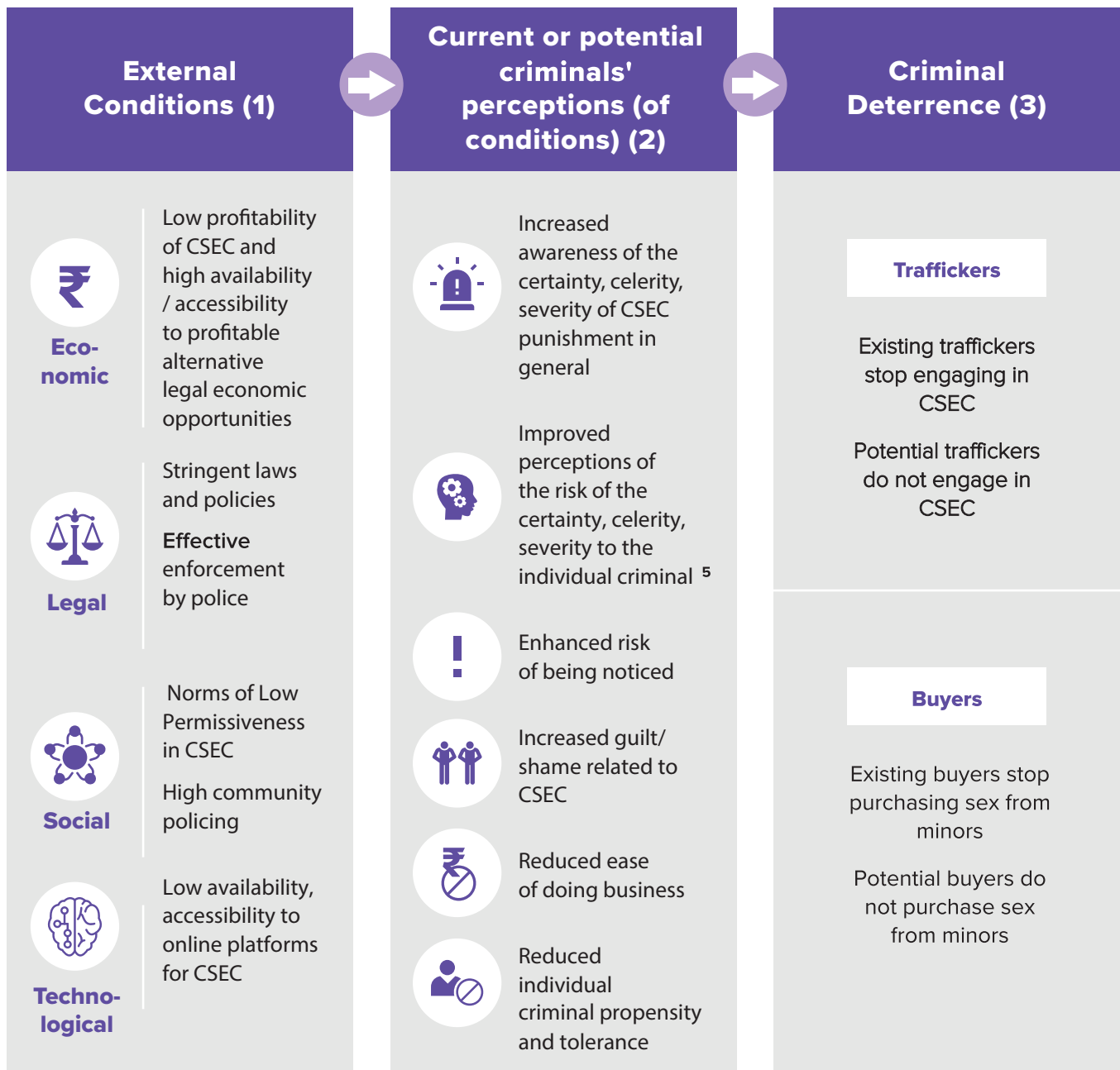
with the intent to inform future studies on measuring criminal deterrence.<sup>4</sup>

### Framework for deterrence of CSEC



<sup>4</sup> Ultimately, our research efforts, which included qualitative interviews and quantitative surveys, covered a total of 1,678 respondents, with sampling methods tailored to the respondent group's objectives, access, and sensitivities. We also analyzed web and online data to uncover and identify supply and demand side trends for use of technology in CSEC using observable online sources. The web analysis focused on prominent, high visibility websites, and not on more hidden digital channels such as private chats and social media

## Exhibit 1: Deterrence framework for CSEC



**External factors, along with criminals' perceptions of these factors, determine deterrence. Increasing/improving deterrence requires changes in criminals' perceptions led by changes in key external conditions.**

<sup>5</sup> Perception of celerity refers to criminal awareness and perception of how quickly they will face the consequences of engaging in CSEC (e.g. the speed of being arrested and convicted for a crime).

## Select findings



- **Longstanding and harmful misconceptions about CSEC victims negatively influence law enforcement.**
- More than half of police officers surveyed across Maharashtra believed that victims of CSEC were in the trade by choice.



- **Nevertheless, there have been important recent improvements in legal processes and outcomes.**
- Eighty-eight percent of law enforcement officers surveyed rated their awareness of CSEC to be high. More than half of all officers surveyed were able to correctly identify POCSO, ITPA and IPC laws as applicable to traffickers and buyers.
- CSEC cases.<sup>6</sup>



- **Buyers are worried about social and legal repercussions of CSEC.** Fifty-three percent of potential buyers surveyed rated social risks as the most important deterrent, fearing isolation, shame, and rejection by family and friends.



- **Traffickers are widely aware of the existing laws against CSEC, but the perception of the risk of conviction is low.** Nine out of ten traffickers interviewed said that they were confident that ultimately, even if they were caught for their crimes, it would not lead to a long-term conviction. It can take from one-to-three years for a case to get to a decision at court, which is a strong impediment to securing convictions.



- **Where law enforcement has become stricter, buyers and traffickers notice.** Potential buyers surveyed in intervention areas in Mumbai and Nagpur (60% in Mumbai and 81% in Nagpur) noted increased risk of getting caught by the police due to stricter law enforcement in the form of raids on brothels, massage parlors, and hotels over the past year when compared to non-intervention area (52% Pune).



- **At this initial stage, data on deterrence efforts is, expectedly, mixed.** About as many police officers surveyed believe that CSEC is increasing (approximately one third) as those that held the opposing view. Among potential buyers, a strong majority (64%) has indicated that the ease of finding minors for paid sex either stayed the same or increased in the last 12 months. Trackers indicated that the red-light areas (across all three cities) have seen a decrease in activity related to minors, though it is difficult to determine if this is indicative of a reduction in CSEC or simply a shift to hidden/ private spaces.

## Select emerging recommendations

### To deter traffickers



**Integrate sensitization modules into police training in order to help police better understand victims and be more motivated to fight the crime.**



**Offer better witness protection and economic protection for whistleblowers.**

### To deter buyers



**Set precedent of prosecuting buyers of sex from minors.**



**Involve community members to act against CSEC activity (e.g. by setting up vigilance groups in source areas, supporting victim rehabilitation, linking with police and law enforcement, etc.).**



**Integrate sex education into schools and universities.<sup>7</sup>**

<sup>6</sup> It should be noted that there is likely to be a selection bias here since the sample of surveyed officers were identified through implementing partners (the two anti-trafficking organizations running rule-of-law activities) who were involved in training them in the first place.

<sup>7</sup> Sex education is not routinely taught in schools within India and often sex is considered a taboo topic. Sex education is known to have benefits including increased knowledge and improved attitudes around sexual health, sexuality, and topics such as consent. While the link to reducing CSEC is not yet proven, sex education may help deter buyers from engaging with minors.