

4.4 Meaning, Status and ways to Combat: Human Trafficking, Sexual Abuse, Acid Attack and Domestic Violence

Paper Name: Recent Trends in Social Work

Paper Code: RTSW403

Semester- IV

Unit-IV

Dr. Rajnesh Kumar Yadav
Assistant Professor
Department of Social Work
University of Lucknow, Lucknow
Email: rkylu11@gmail.com

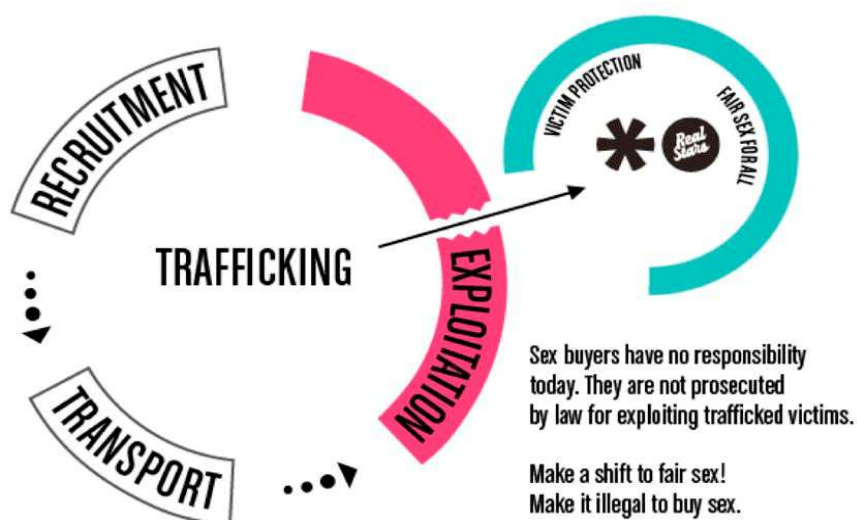
Human Trafficking:

Meaning:

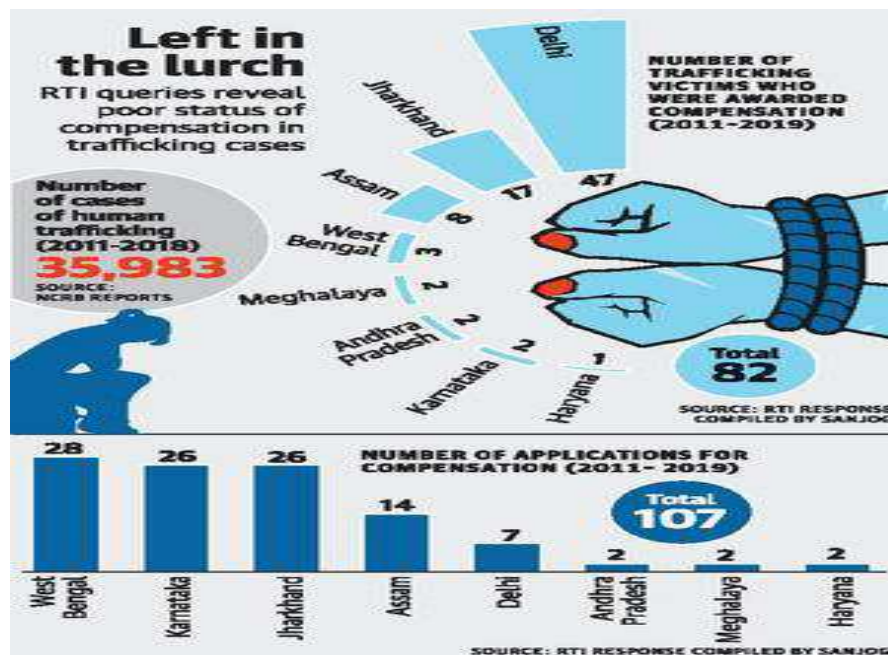
Human trafficking is a group of crimes involving the exploitation of men, women and children for financial gains which is violation of fundamental human rights. Human trafficking is a process of people being recruited in their community and country of origin and transported to the destination where they are being exploited for purposes of forced labor, prostitution, domestic servitude, and other forms of exploitation

Trafficking in persons is a serious crime and a grave violation of human rights. Every year, thousands of men, women and children fall into the hands of traffickers, in their own countries and abroad. Almost every country in the world is affected by trafficking, whether as a country of origin, transit or destination for victims. UNODC, as guardian of the United Nations Convention against Transnational Organized Crime (UNTOC) and the Protocols thereto, assists States in their efforts to implement the Protocol to Prevent, Suppress and Punish Trafficking in Persons.

Countless thousands of trafficking victims lack protection from exploitation. Someone has to be held responsible for this.



Status of Human Trafficking:



NCRB reports put the total number of cases of human trafficking at 35,983 between 2011 and 2018

Highlighting the poor status of compensation awarded to survivors of human trafficking in the country, response obtained through RTI queries from 25 States and seven Union Territories reveal that between March 2011 and April 2019 only 82 such victims were awarded compensation.

However, between 2011 and 2018, the total number of cases of human trafficking recorded in the country, according to NCRB reports, was 35,983. This means, only 0.2% of all survivors of human trafficking received the compensation announced by the government in the last eight years.

The details of compensation awarded to survivors of trafficking have been ascertained on the basis of RTI applications filed by five lawyers across the country and the outcome of the response compiled in the form of report titled "UNCOMPENSATE VICTIMS", which was released in Kolkata recently by Sanjog, a technical resource organisation that works to combat trafficking and gender-based violence.

Among the 82 survivors who were awarded compensation, only 77 received the relief amount. The State-wise details of the compensation awarded to the survivors show that 47 persons were awarded relief in Delhi, followed by 17 in Jharkhand, eight in Assam, three in West Bengal, two each in Andhra Pradesh, Karnataka and Meghalaya. In Haryana, one survivor of trafficking was awarded compensation between 2011 and 2019.

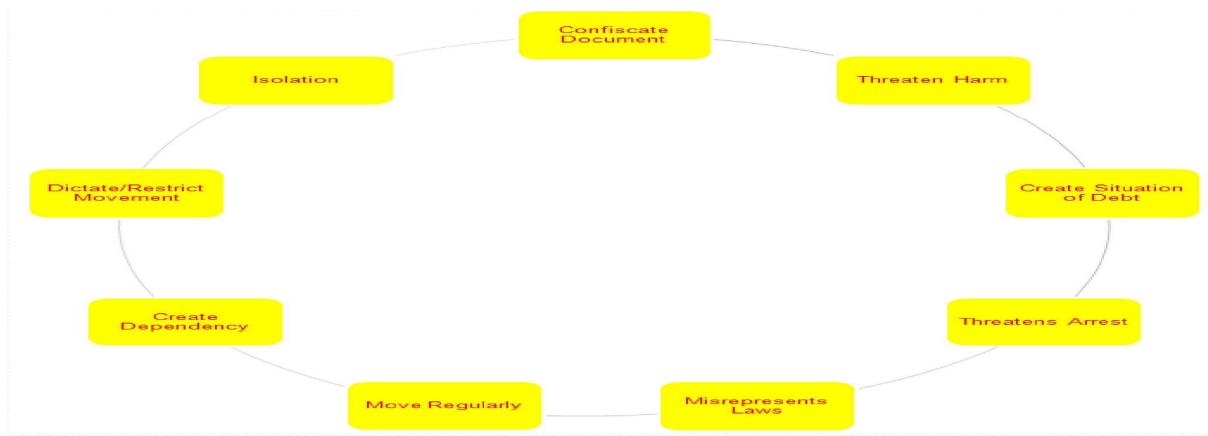
Causes of Trafficking:

- Unemployment Poverty
- Absence of a social safety
- Political instability
- Status of violence against women
- Children The low risk, high-profit

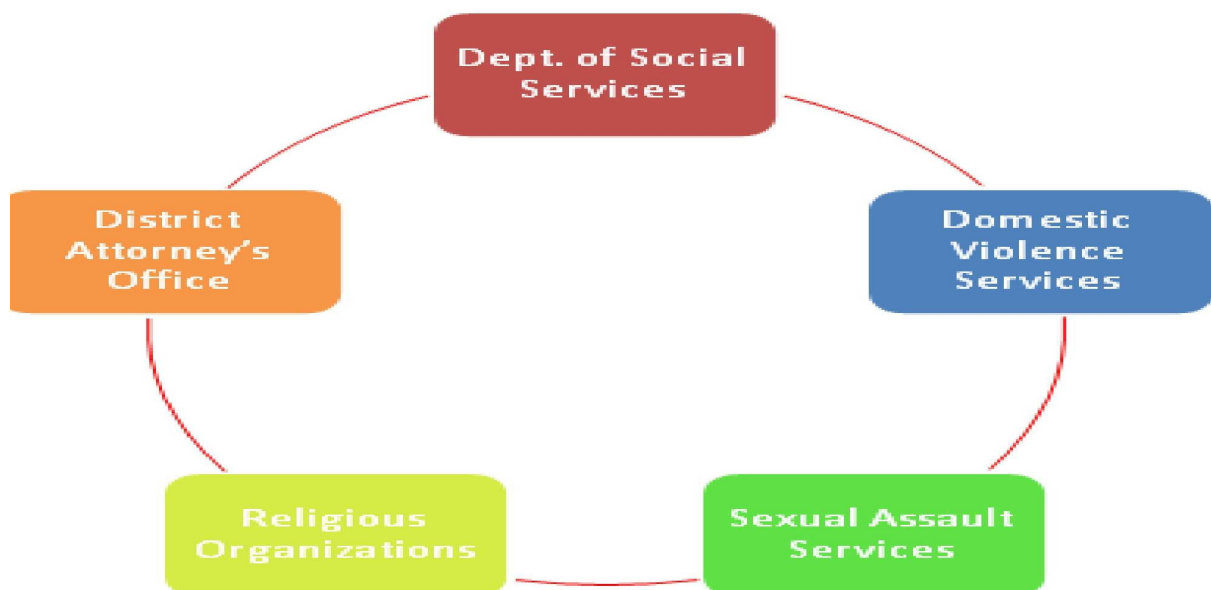
Ways to Combat:

- Encourage companies to take steps to prevent human trafficking in their supply chains and publish the information, including supplier or factory lists, for consumer awareness.
- Volunteer and support anti-trafficking efforts in your community.
- Meet with and/or write to your local, state, and federal elected officials to let them know you care about combating human trafficking and ask what they are doing to address it.
- Encourage your local schools or school district to include human trafficking in their curricula and to develop protocols for identifying and reporting a suspected case of human trafficking or responding to a potential victim.

- College Students: Take action on your campus. Join or establish a university club to raise awareness about human trafficking and initiate action throughout your local community.
- Call your local police department Report suspected trafficking crimes
- Get help by calling the national 24/7 toll-free Human Trafficking Resource Center at 1-888-373-7888
- For sexually exploited minors call the National Center for Missing and Exploited Children's (NCMEC) hotline at 1- 800-THE-LOST
- Contact the Department of Justice's Human Trafficking Office at 1-888-428-7581



Local Human Trafficking Response Teams:



Sexual Abuse:

Meaning:

- Sexual abuse is sexual behavior or a sexual act forced upon a woman, man or child without their consent. Sexual abuse includes abuse of a woman, man or child by a man, woman or child.
- Sexual abuse is an act of violence which the attacker uses against someone they perceive as weaker than them. It does not come from an uncontrollable sex drive, but is a crime committed deliberately with the goal of controlling and humiliating the victim.
- Most victims of sexual violence are women – a fact that reflects their social stance even today, in the 21st century, as inferior to men. Sexual violence is another means of oppressing women in a patriarchal society.
- Sexual violence is a social phenomenon that exists in every society that accepts aggressive behavior and gender inequality, and Israel is among them. Thousands of women turn to the rape crisis centers for help after an attack, and the statistics show that 1 in 3 women will be sexually abused during their lifetime.



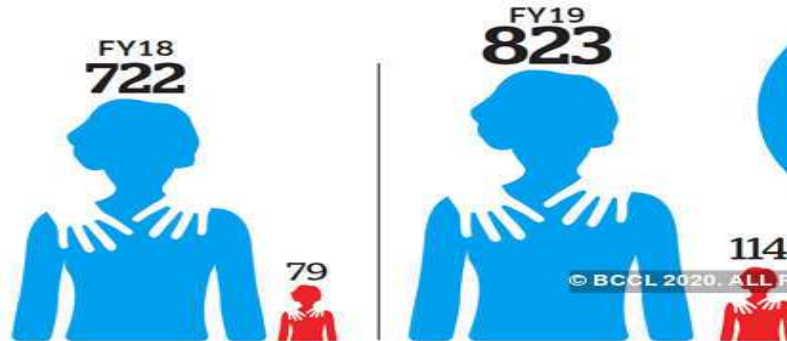
Status:

- As many as 21,605 child rapes were recorded in 2018 which included 21,401 rapes of girls and 204 of boys, the NCRB data showed.
- According to the recently released NCRB data, 32,608 cases were reported in 2017 while 39,827 cases were reported in 2018 under the Protection of Children from Sexual Offences Act (POCSO).
- The highest number of child rapes were recorded in Maharashtra at 2,832 followed by Uttar Pradesh at 2023 and Tamil Nadu at 1457, the data showed. The highest number of child rapes were recorded in Maharashtra at 2,832 followed by Uttar Pradesh at 2023 and Tamil Nadu at 1457, the data showed.
- Overall crimes against children has increased steeply over six times in the decade over 2008-2018, from 22,500 cases recorded in 2008 to 1,41,764 cases in 2018, according to the NCRB data from 2008 and 2018.
- The report also showed that cases of sexual harassment in shelter homes against women and children reportedly increased by 30 per cent, from 544 cases recorded in 2017 to 707 cases in 2018.
- Women reported almost 34,000 rapes in 2018, barely changed from the year before. Just over 85 per cent led to charges, and 27 per cent to convictions, according to National Crime Record Bureau (NCRB) -- the annual crime report released by the Ministry of Home Affairs.

Me Too at India Inc

Sexual harassment cases reported by BSE 100 companies

■ Cases received ■ Cases pending



41

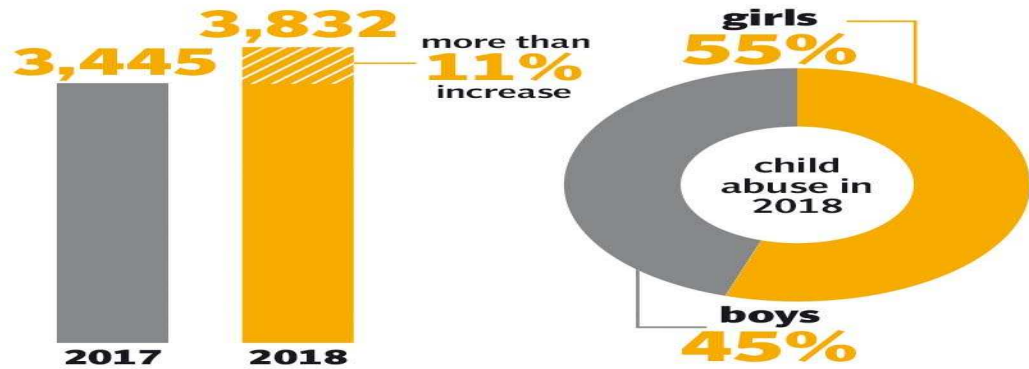
Wipro reported the biggest jump in no. of complaints in FY2019, y-o-y

500%

The maximum percentage increase in cases in FY19 y-o-y, reported by UltraTech, Indian Oil Corp and Hindalco

© BCCL 2020. ALL RIGHTS RESERVED.

Source: ComplyKaro



Alleged child abuse cases from 2017 to 2018

Nature	Number of cases	(%)
Physical abuse	131	61
Neglect	25	12
Psychological abuse	20	9
Sexual abuse	19	9
Multiple abuse	19	9

SCMP

Source: Hong Kong Committee on Children's Rights

Ways to Combat:

- Individual approaches Psychological care and support
- Life-skills and other educational programmes
- Developmental approaches
- Health care responses Medico-legal services
- Training for health care professionals
- Prophylaxis for HIV infection
- Centres providing comprehensive care to victims of sexual assault
- Community-based efforts Prevention campaigns
- School-based programmes
- Legal and policy responses Reporting and handling cases of sexual violence
- Legal reform
- Actions to prevent other forms of sexual violence



Acid Attack

Acid throwing on someone is called an acid attack. Acid attack can be viewed to mean “any act of throwing acid or using acid in any form on the victim with the intention of or with knowledge that such person is likely to cause to the other person permanent or partial damage or deformity or disfiguration to any part of the body of such person.” Though acid attack is a crime which can be committed against any man or woman, it has a specific gender dimension in India. Most of the reported acid attacks have been committed on women, particularly young women for spurning suitor for rejecting proposals for marriage, for denying dowry etc. There are many reasons for acid attacks. The most common and obvious reason is “love rejection”, in which the proposer of marriage, love or sex is rejected by the victim. Vindictive lovers, on being turned down for marriage by women or their families, resort to acid attacks to destroy the woman’s appearance and relegate her to a fate worse than death. The most notable effects of an acid attacks are the lifelong bodily disfigurement. Acid assault survivors face many mental health issues upon recovery. Acid attack victims reported higher levels of anxiety, depression, due to their appearance. Many social implications exist for acid survivors, especially women.

Main causes of Acid attacks:

- Family disputes; domestic violence; relationship conflicts
- Refusal of indecent proposals or unacceptable propositions
- Land or money disputes; business conflicts
- Vengefulness and status jealousy
- Suspicion of infidelity
- Theft or robbery

- Mistaken identity; accidental; collateral
- Nemesis : perpetrator inflicts self-injury
- Sex crimes, rape, and sodomy - leading to victim;s death in worst cases

Status of Acid Attack:

The latest crime data for 2018 from the National Crime Bureau (NCRB) shows acid attack cases are constantly getting transferred or sitting in police files year after year. This is shown by the data; in Indian courts 523 cases were slated for trial in 2018 which are up from 407 in 2016 and 442 in 2017. So while total number of 'registered' cases in a particular year are on a slight decline, the fact that very few cases are disposed of in a year is symptomatic of how slow the justice system is. If nearly 90 per cent cases a year are transferred for trial in the following year.

The percentage of cases of acid attacks that the courts disposed, of all the cases that went for trial, was 6.6 percent (27 cases out of 407) in the year 2016. It is only in 2017 that the percentage went up to 9.9 percent (44 cases out of 442). But, in 2018, it again came down to 6.11 percent cases (32 cases out of 523) reflecting that the system is unable to provide swift justice in the matter.

Total number of cases of acid attacks that police investigated dropped consistently between 2016 and 2018. It disposed of 196 cases in 2016, 182 in 2017 and 150 in 2018.

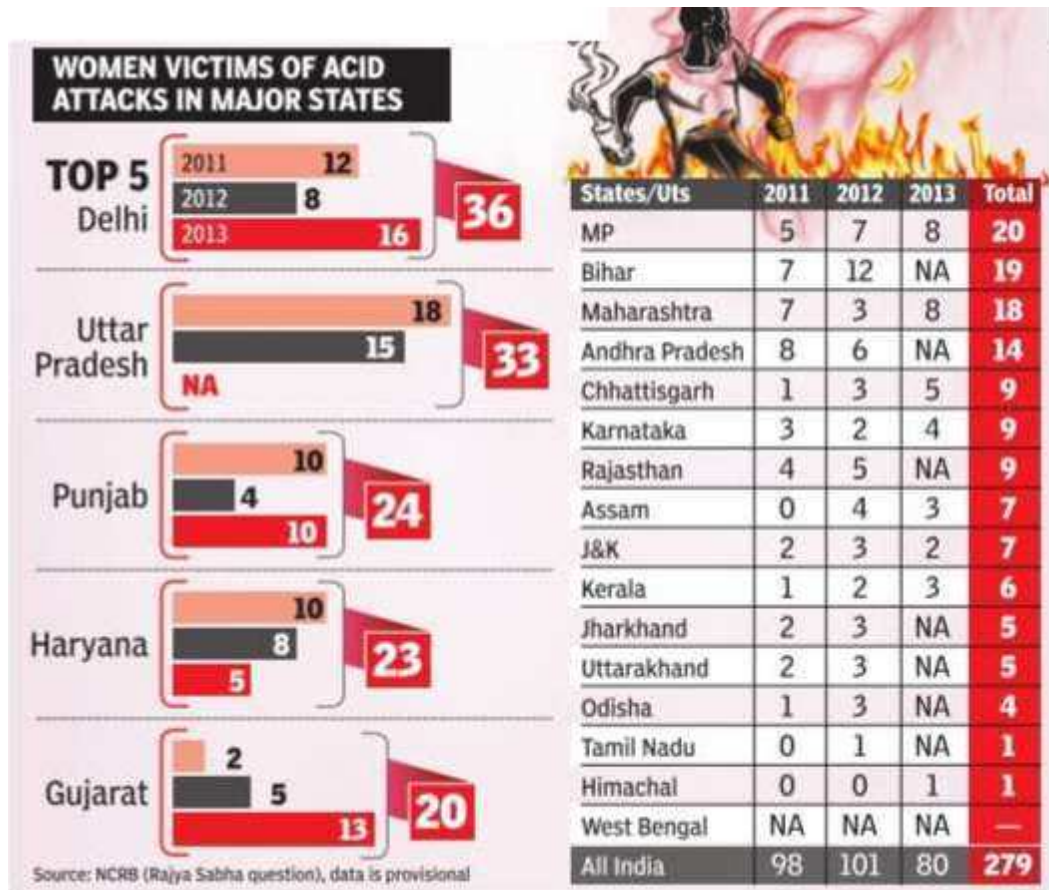
While the conviction rate in cases of acid attack and attempt to acid attack has increased in the last three years, the growth rate is almost negligible. In 2016, 2.45 percent cases (10 cases out of 407 cases) resulted in a conviction, as compared to 3.39 percent cases (15

cases out of 442) in 2017 and 3.36 percent cases (19 cases out of 523) in 2018.

This slow rate of investigation and conviction means that the number of cases that remain unsolved keeps adding up with the police and courts. So, police had 240 cases to investigate, of which 72 cases were pending from previous years. The numbers flared by a great margin when it comes to legal proceedings since the crime was acknowledged with the judiciary. So while there were only 168 cases registered in 2018, the total number of cases that were slated for trial in the same year was 523 cases including cases pending from previous years.

Uttar Pradesh and West Bengal have topped the list of states, reporting the most number of acid attack and attempt to acid attack cases between 2016 and 2018 as per the NCRB data.

Among the 19 metropolitan cities recognized by the NCRB including Mumbai, Bengaluru, Kolkata, Ahmedabad, Chennai, Delhi etc, Delhi accounts for the highest number of cases filed. In 2016, when the total number of cases reported in the metropolitan cities was 29, Delhi alone recorded 18 cases. Subsequently, in 2017, 13 out of a total of 27 cases reported were from Delhi while in 2018, it registered 14 out of the 39 cases reported from metropolitan cities.



Ways to Cabot of Acid Attack:

Legal Effect of Acid Attack

- Section 320 - Grievous Hurt
- Section 322 - Voluntarily causing Grievous Hurt
- Section 325 - Punishment for Voluntarily causing Grievous Hurt
- Section 307 - Attempt to Murder
- Section 326 A States
- SECTION 326 B States
- Compensation for Acid Attac
- Acid Survivors Trust International
- Acid Survivors & Women Welfare Foundation (ASWWF)

Legislation in India:

- Grievous hurt, Section 320 in Indian Penal Code, 1860. In Indian Penal Code, permanent disfiguration of the head or face comes under grievous hurt.
- The National Commission for Women (NCW) came up with a draft of the Prevention of Offences (by Acids) Act, 2008.
- The draft Bill proposed by the NCW suggested that a national acid attack victims' assistance board be set up to recommend to the government strategies for regulating and controlling the production, hoarding, import, sale and distribution of acids.
- The Cabinet has passed the Criminal Law (Amendment) Bill, 2012, with special provisions for acid victims. For the first time, acid attacks have been included under a standalone provision in the Indian Penal Code (IPC).
- It has been proposed that two sections — 326A (hurt by acid attack) and 326B (attempt to throw or administer acid) — be added to the IPC. This is a non-bailable offence. The proposed law states that the attacker could get a jail term of 10 years to life for causing hurt by acid. He or she could be sent to jail for up to seven years for attempting to do so.

Victims of Acid Attack are Attacked for May Reasons

Unlike other weapons such as guns, knives and grenades that are illegal, hard to find, or too much expensive, acid is easy to acquire. There are main four reasons behind attacks:

- **Cultural-** Cultural attacks stem from gender, economic, or class inequalities, the culture of revenge, to calm misogyny.

- **Societal** – It stem from impunity toward perpetrators, social permissiveness, history of punishment towards women, male dominated resources.
- **Situational** - Situational attacks are seen with family conflicts, low family education, geographic situation, the emotional state of individuals, peer association, cost of acid.
- **Personal** – It start from interpersonal feelings like male shame, powerlessness, the age of the perpetrator or victim, poor anger management skills, childhood neglect, antisocial behavior etc (Finley, L., 2013).

Acid Sale & Victim Compensation Scheme in U.P.

Sl. No.	Description of loss or injury	Previous Maximum Limit of Compensation	Maximum Limit of Compensation
1.	Rape	Rs. 2,00,000/-	Rs. 3,00,000/-
2.	Loss or injury causing severe mental agony to the victim of the crime (IPC Sections 325, 326, 333, 394, 429, 435 and 436)	Rs. 1,00,000/-	Rs. 1,00,000/-
3.	Victim of corrosive substance i.e. acid attack etc.	Rs. 3,00,000/-	Rs. 5,00,000/-
4.	Death (Non-earning member)	Rs. 1,50,000/-	Rs. 1,50,000/-

5.	Death (Earning member)	Rs. 2,00,000/-	Rs. 2,00,000/-
6.	Victim of Human Trafficking	Rs. 2,00,000/-	Rs. 2,00,000/-
7.	Offences under section 4,6,7,9,11 and 14 of the Protection of the Children from Sexual Offences Act 2012 :-		
	(a) Penetrative sexual assault (section - 4)	Rs. 2,00,000/-	Rs. 2,00,000/-
	(b) aggravated penetrative sexual assault (section - 6)	Rs. 2,00,000/-	Rs. 2,00,000/-
	(c) sexual assault (section - 7)	Rs. 1,00,000/-	Rs. 1,00,000/-
	(d) aggravated sexual assault (section - 9)	Rs. 1,50,000/-	Rs. 1,50,000/-
	(e) sexual harrasment (section - 11)	Rs. 1,00,000/-	Rs. 1,00,000/-
	(f) using child for pronographic purpose (section - 14)	Rs. 1,00,000/-	Rs. 1,00,000/-
8.	Burns affecting greater than 25% of the body (excluding acid attack cases)	--	Rs. 2,00,000/-
9.	Sexual assault (excluding rape)	--	Rs. 50,000/-
10.	Loss of foetus	--	Rs. 50,000/-

11.	Loss of fertility	--	Rs. 1,50,000/-
12.	Permanent Disability (80% or more)	--	Rs. 2,00,000/-
13.	Partial Disability (40% to 80%)	--	Rs. 1,00,000/-
14.	Women victims of cross border firing :- (a) death or permanent disability (80% or more)	--	Rs. 2,00,000/-
14.	(b) partial disability (40% to 80%)	--	Rs. 1,00,000/-

State schemes which cover women and child welfare usually cater to women and children, from the date of announcement of the scheme (with no retrospective effect). Unlike those, the UP Victim Compensation Scheme is run as per the dictates of the Hon Supreme Court, and covers all categories of population (gender irrespective) and can include in its purview old cases and those referred to by the trial court/appeal court. The victims are free to approach the DLSA/SLSA freely with their grievances. The need is to popularize this scheme which is very victim centric in its outlook and which gives enormous powers to the judiciary to help victims.

Domestic Violence:

Meaning:

Domestic violence is not physical violence alone. Domestic violence is any behavior the purpose of which is to gain power and control over a spouse, partner, girl/boyfriend or intimate family member. Abuse is a learned behavior; it is not caused by anger, mental problems, drugs or alcohol, or other common excuses.

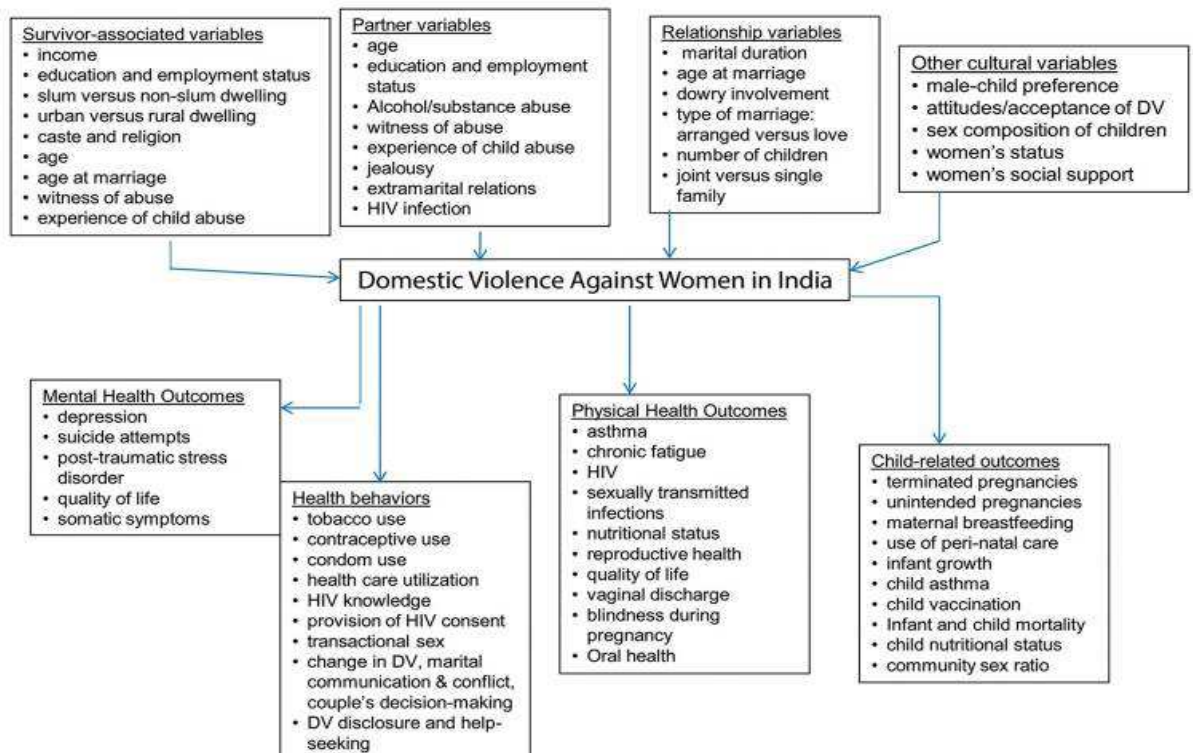
Definitions of domestic violence recognize that victims can include anyone, regardless of socioeconomic background, education level, race, age, sexual orientation, religion, or gender. Domestic violence was formerly referred to as wife abuse. However, this term was abandoned when the definition of domestic violence was changed to reflect that wives are not the only ones who can fall victim to domestic violence. The definition of domestic violence now recognizes that victims can be:

- Spouses
- Sexual/Dating/Intimate partners
- Family members
- Children
- Cohabitants



Type of domestic violence:

- Control
- Physical Abuse
- Sexual Abuse
- Emotional Abuse & Intimidation
- Isolation
- Verbal Abuse: Coercion, Threats, & Blame
- Using Male Privilege
- Economic Abuse

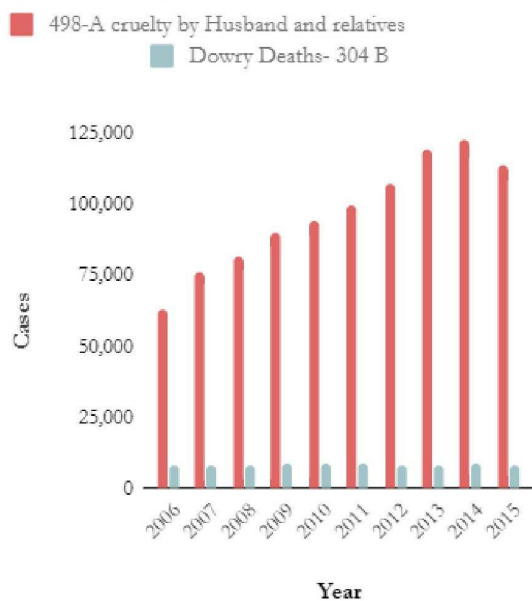


Status of Domestic Violence:

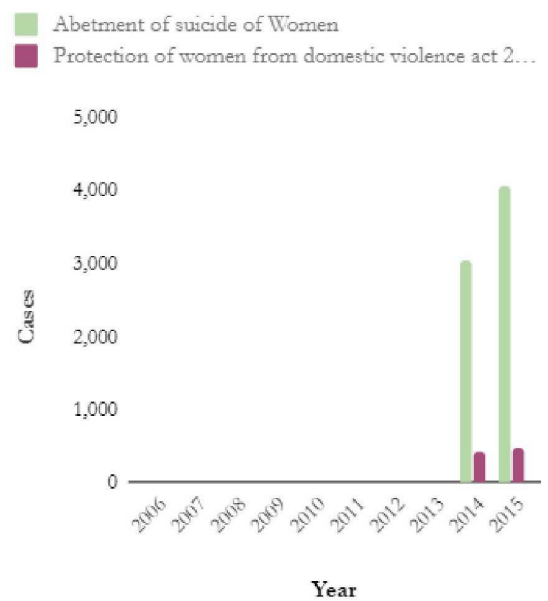
In the 10 years since the the PWDVA, a civil act, was passed, over 1,000,000 cases have been filed across the country under sections pertaining to "cruelty by husband" and dowry, data from the National Crime Records Bureau (NCRB) show. Cases registered under the abetment of suicide of women, collected by the NCRB since 2014, increased by 34%, from 3034 in 2014 to 4060 in 2015, data show.

For a decade from 2005 to 2015, 88,467 women, or an average of 22, died each day in dowry-related cases. In 2015 alone, 7,634 women were killed over dowry, data show.

Between 2006 & 2015, 80 % Rise In Cases Under Cruelty By Husband & Relatives



No Data Under Protection Of Women From Domestic Violence Act Before 2014



Source: [Crime in India report from 2006-2015](#)

As many as 35,260 (83%) out of 42,410 cases filed under dowry deaths in 2015 and left over from 2014 were pending at the end of 2015, as were 11,319 (99.9%) of 11,320 cases recorded under abetment of suicide, 44,4367 (83%) of 534,431 cases filed under cruelty by husbands and his relatives, and 846 (99.8%) of 847 cases filed under the PWDVA, according to data from the NCRB.

In 2015, over 113,000 cases were filed under the section called "cruelty by husband and relatives" by the NCRB, up 80% from 2006 when about 63,000 cases were filed, data show. The increase in number of cases could be because of an actual increase in crime or because of a rise in reporting off such cases, as awareness of the law grows, and more women are empowered to report abuse to the police, rather than an increase in the number of crimes.

Trends differ from state to state. For instance, in Andhra Pradesh, cases under "cruelty by husbands and relatives" decreased from 9,164 to 6,121, a 33% fall between 2006 and 2015, while dowry deaths decreased 66% from 519 in 2006 to 174 in 2015. Cases under "cruelty by husbands and relatives" increased by over 171% in West Bengal from 7414 in 2006 to 20,163 in 2015. There was little change in the number of dowry deaths recorded in Bihar from 1,188 in 2006 to 1,154 in 2015.

Ways to Combat:





Teach safe and healthy relationship skills

- Social-emotional learning programs for youth
- Healthy relationship programs for couples



Engage Influential adults and peers

- Men and boys as allies in prevention
- Bystander empowerment and education
- Family-based programs



Disrupt the developmental pathways toward partner violence

- Early childhood home visitation
- Preschool enrichment with family engagement
- Parenting skill and family relationship programs
- Treatment for at-risk children, youth, and families



Create protective environments

- Improve school climate and safety
- Improve organizational policies and workplace climate
- Modify the physical and social environments of neighborhoods



Strengthen economic supports for families

- Strengthen household financial security
- Strengthen work-family supports



Support survivors to increase safety and lessen harms

- Victim-centered services
- Housing programs
- First responder and civil legal protections
- Patient-centered approaches
- Treatment and support for survivors of IPV, including teen dating violence