

The State of Rescue

Who is really held inside the protective homes that India's anti-trafficking system fills — and what detention does to them.

A report on women remanded under the Immoral Traffic (Prevention) Act
in **Andhra Pradesh and Telangana**, 2018–2019

94%

NOT TRAFFICKING VICTIMS AT THE TIME OF THE RAID

ABOUT THIS PUBLICATION

Between June 2018 and February 2019, a research team interviewed women and administrators inside fifteen government- and donor-funded protective homes across Andhra Pradesh and Telangana — while the women were still detained, their court cases unresolved, and the experience of confinement immediate rather than remembered.

What the team found departs sharply from the image that justifies the system. The women were almost all adults who had chosen sex work to support their families. Almost none met the coercion-based definition of trafficking that Indian law itself adopted in 2013. Yet all were held as though their participation in sex work were proof of their victimhood.

This publication presents that evidence as an advocacy document for policymakers, donors, journalists, and civil-society leaders. It is grounded in coded interview data from the thirty-two women who completed interviews and in the field observations of the research team.

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A NOTE ON LANGUAGE

“Rescue,” “rehabilitation,” and “moral education” appear in quotation marks where this report marks the distance between these official terms and the experiences the women described. “Protective homes” refers throughout to the institutions established under the ITPA for the detention and processing of forcibly rescued women, regardless of the local label that may attach to any particular facility. “Ujjawala” denotes both the homes designated for women held under the Act and, following local convention, the women themselves.

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EXECUTIVE SUMMARY

A System Built for One Woman, Filled With Another

The protective-home system in Andhra Pradesh and Telangana is justified by a particular image of its beneficiary: a poor, uneducated girl, deceived or forced into sex work and waiting to be saved. The women this study encountered inside the homes departed from that image in nearly every respect. They were adults. They were mothers, wives, and primary earners. Most had chosen sex work, usually with the help of female peers, to support their families more comfortably. The distance between the population the rescue apparatus was meant to serve and the population it in fact confines is the central concern of this report.

Despite the word “traffic” in its title, the Immoral Traffic (Prevention) Act is best understood as anti-prostitution legislation. It never defined the crime its name announces, and its provisions require no proof of force, fraud, or coercion. By 2013, Indian law had adopted a competing, coercion-based definition of trafficking in Sections 370 and 370A of the Penal Code. Two legal thresholds thus coexisted throughout the study period – and the rescue machinery consistently chose the broader one, detaining women who fell within the Act’s sweep but stood outside any modern definition of a trafficking victim.

“I have neither raped nor murdered anyone. We are doing our own work.”

UJJAWALA INMATE

What distinguishes this study from most accounts of “rescue” is its setting: the interviews were conducted *inside* the homes, while the women were still detained and their court cases unresolved. The women spoke about locked rooms and silenced telephones, unclear court dates and an unknown horizon for release, debts taken on to pay lawyers, and the erosion of their sense of control over their own lives. The consequences – for their families, finances, court outcomes, and mental health – form the substance of this report.

The findings at a glance

Five figures, drawn from the coded interviews of the thirty-two Ujjawala women who completed interviews, capture the gap between the system's rationale and its reality.

84%

entered sex work **voluntarily** — never forced or coerced at entry

94%

were **not** being coerced into sex work at the time of the raid

62%

received **no personal visitors** during their detention

87%

reported **mental distress** at the time of interview

94%

were incurring **debt or family help** to work toward release

30×

the gap between sex-work earnings and what “skills training” could replace

What follows from them

Read together, these figures describe a system that operated not as a mechanism for identifying and assisting trafficking victims but as one for detaining voluntary sex workers. The women were confined behind locked doors, cut off from children and spouses, processed through courts whose timelines they could not learn, and offered “rehabilitation” that could not approach the income it was meant to replace. The accumulated weight produced depression, escape attempts, and self-harm.

THE SWADHAR COMPARISON

Women sheltered under the Swadhar scheme — often in the same buildings, under the same staff — had frequently suffered grave prior trauma, yet did not show the same despair. What distinguished the two groups was coercion: whether a woman had entered by choice and could leave. The same walls sheltered those who chose them and imprisoned those who did not.

The report closes with recommendations that take the women's own requests as the measure of reform: to honor the distinction Indian law already contains, to move from closed shelters to community-based support, and to end the immediate cruelties of severed contact, hidden charges, and detention that debt alone resolves.

KEY FINDINGS

Five Findings That Should Reframe the Debate

Each finding below contributes a link in a single chain: a system designed to rescue trafficking victims functioned, in practice, to detain voluntary sex workers and to harm them in the process.

- 01 The detained were not trafficking victims**

Only two of thirty-two women were being coerced into sex work at the time of the raid. Eighty-four percent had entered the work voluntarily. Under the coercion-based standard in Indian law since 2013, almost none qualified as trafficked.
- 02 They were adults, mothers, and primary earners**

Ages clustered in the twenties and thirties (mean 24.9). Roughly half were married and half had children at home. Most were the primary earners their households depended on — not the imagined girl awaiting rescue.
- 03 Confinement severed them from their families**

Sixty-two percent received no visitors; many had no contact of any kind. Phone access, where granted, was stripped of privacy. Release was possible only into the custody of a parent, husband, or guardian — often the very people from whom the work was concealed.
- 04 “Rehabilitation” ignored economic reality**

Sex work earned most women ₹500–2,000 a day, some far more. Tailoring and handicraft training offered a fraction of that. Their refusal of training was not ingratitude but arithmetic.
- 05 Detention produced measurable psychological harm**

Eighty-seven percent reported distress; more than fifteen percent were self-harming or had attempted suicide inside. Women sheltered voluntarily under the Swadhar scheme, often in the same buildings, did not show the same despair.

The single most consequential number

If one figure captures the report, it is this: of the thirty-two women interviewed, only two were being coerced into sex work at the moment police took them into custody. The rest were held under a law meant for trafficking victims without ever meeting the definition of one.



Figure A · Trafficking status at the time of the raid (Table 8, n = 32).

The chapters that follow trace what that detention cost the women it was never meant to hold — in their families, their courts, their livelihoods, and their minds.

SECTION ONE

Introduction

In the cities and small towns of Andhra Pradesh and Telangana, women who sell sex are periodically removed from their workplaces by police, processed through the courts, and remanded to institutions known as protective homes. The women who arrive there are, in the main, not the victims the system imagines.

For the great majority of these women, entering sex work was a decision, not a fate imposed by a trafficker.

THE PREMISE OF THIS REPORT

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protective homes visited across two states between June 2018 and February 2019, with 156 inmates interviewed in all.

Individuals selling sex for personal gain are not explicitly engaged in crime under the Immoral Traffic (Prevention) Act, 1956, as amended in 1986. What the law reaches are the activities that surround it — public solicitation, keeping a brothel, living off the earnings of prostitution, procuring or inducing another into it. And while there are certainly women and children in India forced or deceived into the sex trade, the women in this study reflected a different and, in South India, more common pattern: they had chosen the work, usually with the help of female peers and largely to support themselves and their families more comfortably, and most worked without any male pimp.

Despite the word “traffic” in its title, the ITPA is best understood as anti-prostitution and anti-elopement legislation rather than anti-trafficking legislation in any modern sense. First enacted in 1956 and amended in 1978 and 1986, it never defined the crime of trafficking that its name announces. It defined only prostitution, casting it after 1986 as the sexual exploitation or abuse of a person for commercial purposes — a formulation that treats all commercial sex, consensual or not, as inherently exploitative. Its offence-creating provisions required no proof of any threat, force, fraud, or coercion whatsoever.

A DEFINITION ALREADY ON THE BOOKS

That conflation might have seemed inevitable were it not for a competing definition already in Indian law by the time of this fieldwork. The Criminal Law (Amendment) Act of 2013 inserted Sections 370 and 370A into the Penal Code, importing the internationally recognized understanding of trafficking: one that required proof of coercive means — force, fraud, deception, or the abuse of power — and that reached beyond the sex trade to labor, servitude, and the removal of organs. By 2018, Indian law had therefore already drawn the distinction that the practice of rescue refused to honor.

The rescue machinery simply operated around that definition. A magistrate could order a woman confined under the protective provisions of the ITPA without anyone establishing the coercion that Section 370 required. The older presumption — that all prostitution is exploitation — continued to govern the raids, the rescues, and the homes, while the narrower 2013 definition sat unused beside it.

The Path Through the Rescue System

FROM WORKPLACE TO DETENTION



At no point does the law require anyone to establish that coercion, force, or fraud occurred.

Figure 1 · The path a woman travels through the rescue system, from workplace to detention.

WHY INTERVIEW WOMEN INSIDE THE HOMES

Despite a large literature on sex-work “rescue” in India, the population actually held inside protective homes under the ITPA has remained largely undocumented from the inside. Most studies reach women after release and rely on retrospective recall; few have interviewed women during detention, while their cases are unresolved and the experience is ongoing. As a result, basic questions — how many were coerced and how many entered voluntarily, who they are demographically, and what they experience inside — have not been answered with primary data gathered in situ. This study addresses that gap.

The study was guided by two questions. First, who is actually detained in protective homes under the ITPA in Andhra Pradesh and Telangana: predominantly trafficking victims, as the law’s rationale presumes, or predominantly voluntary sex workers? Second, what legal, economic, familial, and psychological conditions do these women experience during detention? Following preliminary fieldwork, the team hypothesized that the women would prove to be overwhelmingly voluntary adult sex workers, and that the detention regime would impose substantial harm.

THE CENTRAL EMPIRICAL CLAIM

The protective-home system, as encountered in these two states, functioned chiefly to detain voluntary sex workers rather than to identify and assist trafficking victims. The consequences — for the women’s families, finances, court outcomes, and mental health — form the substance of the findings that follow.

SECTION TWO

Background: The Architecture of “Rescue”

Two statutes supplied two different answers to a single question — who counts as a victim — and the rescue apparatus consistently chose the broader one. The homes documented here were populated by the gap between them.

2013

the year Indian law adopted a coercion-based definition of trafficking — available throughout the study period, yet left unused in the field.

2.1 The Immoral Traffic (Prevention) Act, 1986

The ITPA traces its lineage to the Suppression of Immoral Traffic in Women and Girls Act of 1956, amended and renamed in 1986. Its defining feature — and the source of most of the harms documented here — is that it does not distinguish between voluntary and forced participation in sex work. A woman who has chosen sex work and a woman coerced into it are, under the Act as applied, treated as members of a single category.

The Act mandates rescue and the establishment of protective homes to receive those rescued, while offering little guidance on how such homes should operate. It stipulates that a court decision should follow within twenty-one days, but does not clearly define the timeline for release once that decision is made. It requires that inmates receive “moral education.” It provides that an adult woman may be released only into the custody of a parent, guardian, or husband. And it delegates to individual states the authority to set their own policies, producing wide variation from one institution to the next. Although the Act permits inmates to leave under defined circumstances, in practice the women in this study experienced the homes as closed institutions.

2.2 International standards and Indian criminal law

The international benchmark for defining trafficking is the Palermo Protocol, adopted by the United Nations in 2000. Its definition turns on coercive means — the threat or use of force, fraud, deception, or the abuse of power or of a position of vulnerability — deployed for the purpose of exploitation. Where a person participates in sex work absent such means, that participation does not, by the Protocol’s logic, constitute trafficking. For minors, the means requirement falls away: any recruitment of a child for sexual exploitation is trafficking regardless of consent.

India had incorporated this coercion-based definition into its own criminal law before the fieldwork began. Sections 370 and 370A of the Penal Code anchored the offense of trafficking in coercive means and exploitation rather than in the mere fact of selling sex.

TWO THRESHOLDS, ONE POPULATION

Under Section 370, a woman who sold sex absent force, fraud, or coercion was not a trafficking victim. Under the protective provisions of the ITPA, she could be detained without any such finding ever being made. The homes documented here were populated by the gap between these two thresholds — by women who fell within the Act’s reach but stood outside Section 370’s definition, and who were nonetheless treated as though their involvement in sex work alone were proof of their victimization.

2.3 Types of protective homes

The homes visited fell under two government schemes, each with a nominally distinct mandate. In practice the boundaries blurred — several homes housed both populations together, an arrangement that furnishes one of the report’s central comparisons.

SCHEME

Ujjawala

Homes for women taken into custody under the ITPA. By usage in the field, the term refers both to the homes and to the women housed in them — the analytic core of this report.

SCHEME

Swadhar

Homes for women in distress more broadly: victims of domestic abuse, abandonment, poverty, and similar hardships. Used throughout as a point of contrast.

This co-residence matters analytically: it places under one administration two populations — women detained for selling sex and women sheltered for other hardships — whose differing emotional trajectories the report returns to in Section 4.5 and the Discussion.

SECTION THREE

Methods

Most research on “rescue” interviews women after release, months or years later, and depends on their recollection of events they may wish to forget. This study took a different approach — conducting interviews within the homes, while the women were still detained.

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women held under the Ujjawala (ITPA) scheme form the analytic core; thirty-two completed interviews.

WHY CONDUCT RESEARCH INSIDE THE HOMES

Conducting interviews on-site while the women were still detained offered four advantages. It produced a snapshot in time across each location, capturing conditions as they were rather than as later remembered. It allowed a defined sampling frame: the population of a given home on a given day. It minimized loss of contact, since the women had not yet dispersed. And it ensured the experiences described were fresh and ongoing rather than reconstructed from memory. Being on-site also allowed the team to observe the homes directly — their layout and condition, and the interactions among inmates and staff.

INTERVIEW PROCEDURE

The research consisted of semi-structured interviews combining closed- and open-ended questions, covering demographics, education, household economics, the circumstances of rescue, conditions inside the home, the court process, and emotional well-being. Interviews were conducted in Telugu or Hindi by one or two members of a seven-member data-collection team, each certified in ethical research practices through the NIH's CITI program. Interviews were conducted in private, away from staff, to reduce pressure on participants. Informed consent was obtained orally, as some participants were illiterate. Sessions were audio-recorded, transcribed, translated, and then coded in NVIVO and SPSS.

SAMPLE OVERVIEW

Fieldwork took place across fifteen protective homes — fourteen in Andhra Pradesh and one in Telangana. Across all homes, 156 inmates were interviewed. Within this larger sample, the report takes as its analytic core the forty-three women held under the Ujjawala scheme, of whom thirty-two completed interviews and eleven declined or discontinued.

A POSSIBLE FINDING IN THE REFUSALS

The eleven women who declined to be interviewed may not constitute a random subset. To the fieldworkers, they appeared to be angry or despondent at being incarcerated. They may have misinterpreted the research team's interview invitation as a directive from the shelter staff, whom they perceived antagonistically. That visibly angry or despondent women were also unwilling to be interviewed is itself a finding — and it suggests the emotional toll documented here, if anything, understates the distress of the Ujjawala population as a whole.

A note on the data: counts (n) below are reported with percentages calculated on the number of valid responses for each variable; the denominator varies by table and is stated in each. Given the small sample, a single respondent represents roughly three percent, and percentages are offered only as an aid to the reader, to be read alongside the raw counts.

SECTION FOUR

Findings

Six themes — who the women were, how they were confined, what the courts did, what they earned, what detention did to their minds, and how the administrators saw it all — converge on a single conclusion about how the system actually functioned.

The women encountered in this study departed from the image of the imagined victim in nearly every respect.

SECTION 4.1

4.1–4.6

the six findings that follow, each integrating coded interview data with the women's own accounts.

4.1 Who Is Inside: The Ujjawala Profile

The legislation that fills the protective homes is justified by a particular image of its beneficiary: a poor, uneducated girl, a minor or barely an adult, deceived or forced into sex work and waiting to be saved. The women encountered in this study departed from that image in nearly every respect. Understanding who they actually were is the necessary first step in understanding why the system designed for the imagined victim served the real population so poorly.

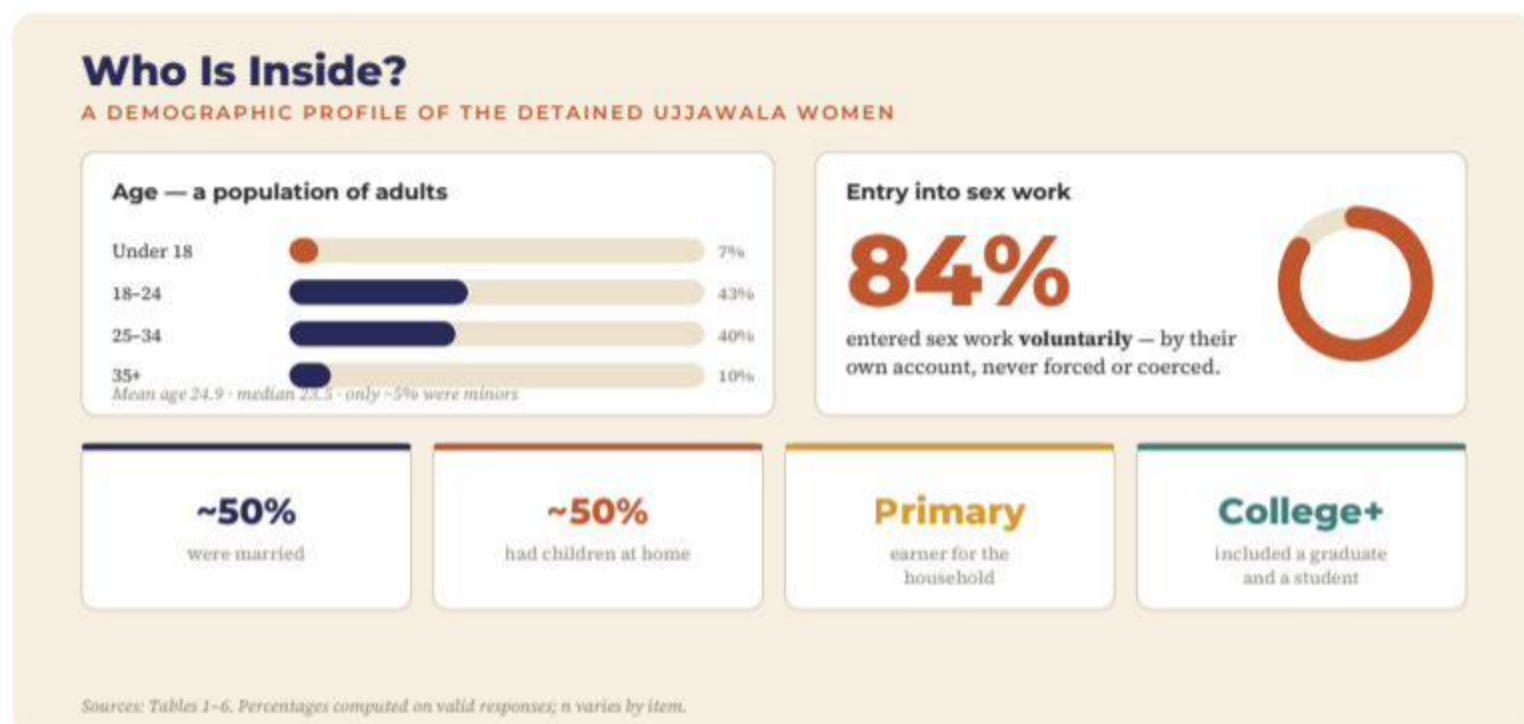


Figure 2 · Demographic profile of the detained Ujjawala women (Tables 1–6).

AGE AND MINORITY STATUS

The Ujjawala inmates were, with rare exception, adults. The ages recorded clustered in the twenties and thirties, with a mean of 24.9 years and a median of 23.5. A small minority — about five percent — reported being minors of sixteen or seventeen. One case illustrates the system’s difficulty with age itself: a young woman recorded as seventeen through the interview process was, according to the Child Welfare Committee, twenty-five.

EDUCATION, MARRIAGE, AND CHILDREN

Contrary to the assumption of uniform illiteracy, most of the women had some schooling, a substantial share above the tenth standard, and the sample included a college student and a woman holding a bachelor's degree. Roughly half were married, and roughly half had children at home. The presence of dependent children recurs throughout the testimonies as the dominant source of anguish; the women's distress in detention was inseparable from their absence from households that depended on them.

... they have sentiments and affection with their relatives and relations. They must give a chance to speak to their relatives. That is mandatory. Never ever divide mother and child.

— UJJAWALA INMATE

TRAFFICKING STATUS UNDER INTERNATIONAL STANDARDS

The single most consequential finding concerns how few of these women met any recognized definition of a trafficking victim. Under the ITPA as applied, all of them qualified as “trafficked.” Under the Palermo Protocol's standard — and under the coercion-based definition Indian law itself adopted in 2013 — almost none did. Only two reported being forced to do sex work at the time of the police raid. About fifteen percent said they had initially been forced or coerced but had continued voluntarily thereafter. The remaining majority, roughly eighty-five percent, reported that they had only ever done sex work of their own volition.

I am selling my body. I am selling my flesh, okay? I myself am doing my work. I have neither raped nor murdered anyone. I have not stolen anything. It is not the business of the government. Why should the government bother about it? We are doing our own work. I want to ask only this.

— UJJAWALA INMATE

Others distinguished sharply between their own situation and genuine trafficking. In one worker's formulation, trafficking meant “not knowing the tricks of the sex trade, where to stay, how to serve, whom to serve” — the condition of the disoriented newcomer who had not chosen her circumstances — and not the situation of a woman who knew her work and had entered it deliberately.

THE DATA BEHIND THE PROFILE

Table 2. Age distribution by band

RESPONSE	N	% OF VALID
Under 18 (minor)	2	7%
18–24	13	43%
25–34	12	40%
35 and older	3	10%
Valid responses	30	100%

Mean 24.9, median 23.5. Question skipped: 2.

Table 3. Marital status

RESPONSE	N	% OF VALID
Married	11	38%
Unmarried	5	17%
Never married / minor	2	7%
Eloped	2	7%
Abandoned by spouse	3	10%
Separated	3	10%
Divorced	1	3%
Widowed	1	3%
Widowed and remarried	1	3%
Valid responses	29	100%

Categories reported as recorded. Question skipped: 3.

Two distinct measures bear on trafficking status: whether a woman was coerced into sex work at entry (Table 7), and whether she first entered as a minor (Table 8a). Under the Palermo Protocol and Section 370, entry as a minor constitutes trafficking regardless of any later consent. Two women reported entering as minors; whether they were among the two coerced at the time of the raid is not resolved by the data.

Table 7. Forced or coerced at entry

RESPONSE	N	% OF VALID
No — entered voluntarily	27	84%
Yes — forced or coerced	5	16%
Valid responses	32	100%

“Yes” denotes coercion at initial entry, not necessarily at the raid (see Table 8).

Table 4. Children

RESPONSE	N	% OF VALID
No children	10	33%
One child	10	33%
Two children	8	27%
Adopted child	2	7%
Valid responses	30	100%

Question skipped: 2.

Table 6. Education level

RESPONSE	N	% OF VALID
No formal schooling	8	33%
Primary (1–5)	2	8%
Upper primary / middle (6–9)	8	33%
Secondary (std 10)	2	8%
Intermediate	2	8%
Graduate (B.A.)	1	4%
Unclear	1	4%
Valid responses	24	100%

Highest standard completed. Question skipped: 8.

Table 8a. Age at entry into sex work

RESPONSE	N	% OF VALID
Adult at entry (18 or older)	30	94%
Minor at entry (under 18)	2	6%
Valid responses	32	100%

Distinct from current age (Tables 1–2); not to be conflated with the two currently under 18.

4.2 Confinement, Contact, and Release

Across the interviews, the women described the conditions of their containment in concrete terms: locked doors, denied or monitored communication, separation from children and spouses, and release only into another's custody. Several described a confinement so complete that it deprived them of light, movement, and any sense of the world beyond their room.

We do not know what happens outside of our room as it is always locked. We cannot see anyone moving outside the room, not even flies or mosquitoes. We are unable to see the outside light too. They are locking us.

— UJJAWALA INMATE

At one home a woman reported that the regime of locking had followed the flight of two inmates: those who remained were confined more closely after the escape of others.

SILENCED TELEPHONES, DENIED VISITS

Communication with the outside world was among the most tightly controlled aspects of life in the homes, and among the most painful. A substantial minority had no communication of any kind with their families, and a majority received no family visits. Where telephone contact was permitted at all, it was almost always stripped of privacy — one woman described being allowed to speak to family only with the loudspeaker engaged, the conversation audible to staff.

I am worried about my daughter and son as I am getting scary dreams about them. I am seeing iron crowbars, shovels, money, etc., in my dreams and I am nervous that something might have happened to my children.

— UJJAWALA INMATE

Others framed the deprivation in the plainest material terms — not grief alone but the fear of a household collapsing in their absence: “There is no food in my home now that I have come outside. I want to know how they are surviving without my support.”

Cut Off From Home

FAMILY SEPARATION INSIDE THE PROTECTIVE HOMES

62%

received no personal
visitors at all

20 of 32 women

31%

were not permitted to use
a telephone

of those asked

Loudspeaker

calls monitored, never
private

where phones were allowed

"Never ever divide mother and child."

— UJJAWALA INMATE

Roughly half of the women had children at home; for them, severed contact was the sharpest harm of detention.

Figure 3 · Family separation inside the protective homes (Tables 9–11).

THE CUSTODY TRAP

Under the ITPA, an adult woman may be released only into the custody of a parent, guardian, or husband. Most women had concealed their occupation from their families. Home administrators often dealt only with a woman's legal husband — and the field team recorded instances in which the husband was himself a source of the woman's hardship, and instances in which he was unaware of her work. The provision nominally meant as a safeguard thus converted release into a negotiation conducted largely without the woman's participation.

Table 10. Received personal visitors

RESPONSE	N	% OF VALID
Yes — received visitors	12	38%
No — no visitors	20	62%
Valid responses	32	100%

Table 11. Permitted to use the telephone

RESPONSE	N	% OF VALID
Yes — permitted	18	69%
No — not permitted	8	31%
Valid responses	26	100%

Question skipped: 6.

4.3 The Court Process

The protective homes are nominally way-stations in a judicial process. In the women's experience they were closer to indefinite holding. The ITPA's twenty-one-day stipulation to a court decision coexisted, in practice, with detentions of months and, in some cases, years, and with a process whose logic the women could rarely predict.



Figure 4 · The court process as the women experienced it (Tables 13–15).

SEEN BY THE COURT, YET WITHOUT A TIMELINE

A majority — 83 percent — of the women had already appeared before a court or magistrate, yet not one of them knew when she would be released. This combination — judicial process underway, release date unknowable — was the defining feature of their legal limbo. The homes offered no advocate to help the women navigate the courts, despite the close institutional relationship between the two.

NOT KNOWING THE CHARGE

Of the twenty-four women who addressed the question, eight — fully a third of those responding — did not know which laws were being invoked against them. One inferred her situation only obliquely: “I don’t know under which case I was arrested, but it is because I did a wrong thing. I found it from the police conversation over the phone.” Another recalled that officials “would discuss that it is a PITA case,” but “they did not talk to me about this section.”

THE APPEAL NOBODY MENTIONED

None of the women were pursuing appeals from the Sessions Court, and none were even aware that such an option existed. A legal avenue that might have shortened their detention was, for this population, effectively invisible.

DEBT AS A CONDITION OF FREEDOM

All but two of the women were receiving some assistance toward release from family outside, and many were incurring substantial debt to pay lawyers and fines in the process. The court process, far from being free, imposed costs that the women and their families absorbed through borrowing — debt that would await them on release and that, as the next section notes, helped guarantee a return to the very work the system sought to end. One woman traced the bureaucratic churn behind these costs: a case transferred between judges and courtrooms, identity documents demanded and re-demanded, fifteen thousand rupees already spent, and her sister sent back yet again to produce an Aadhaar card and ration card so that release might proceed.

Table 13. Seen by a court or magistrate

RESPONSE	N	% OF VALID
Yes — has appeared	24	83%
No — has not appeared	3	10%
Not yet	2	7%
Valid responses	29	100%

Question skipped: 3.

Table 14. Knowledge of the laws used against her

RESPONSE	N	% OF VALID
Yes — knows which laws apply	16	67%
No — does not know	8	33%
Valid responses	24	100%

Question skipped: 8.

“We cannot see the outside light.”

UJJAWALA INMATE

4.4 Economic Circumstances and Skills Training

The protective home's principal tool of “rehabilitation” is skills training: instruction in tailoring, sewing, handicrafts, and similar trades intended to furnish an alternative livelihood. The premise is that the women lack a means of support and will welcome one. The economics reported by the women inverted that premise.



Figure 5 - Reported daily earnings versus what training could replace.

PRIMARY EARNERS, BY A WIDE MARGIN

Most of the Ujjawala inmates were the primary earners in their households, supporting children, parents, and siblings. Their removal did not interrupt a marginal or supplementary income; it removed the income on which a family ran. Only three Ujjawala inmates — including the two who had been trafficked — earned less than five hundred rupees per day prior to detention. Most earned between five hundred and two thousand rupees per day, and some reported as much as four thousand to forty-five hundred.

REFUSAL AS RATIONAL CALCULATION

Against these figures, the income from tailoring or assembling plastic flowers and candles was, in the women's assessment, no contest. Field observers at two homes asked pointedly how a single earner could lead a decent life selling candle-lights, homemade soaps and pickles, or plastic flowers. Given this arithmetic, the women's frequently noted refusal to cooperate with training reads less as ingratitude than as clear-eyed calculation. All were offered training; almost none believed it could replace their earnings, and many declined for that reason. The training neither matched the women's economic reality nor expanded their sense of possibility.

Table 18. Skills training

RESPONSE	N	% OF VALID
Yes — offered and engaged	21	72%
Offered, but not interested	3	10%
No — not offered / receiving	5	17%
Valid responses	29	100%

Trainings named included tailoring, garland-tying, and a wish to learn computers.

Table 16. Adequacy of food

RESPONSE	N	% OF VALID
Adequate	21	81%
Poor / inadequate	5	19%
Valid responses	26	100%

One "poor" entry noted better food only when guests visited.

"There is no food in my home now that I have come outside."

UJJAWALA INMATE

The two strands of harm met here: the severance of Section 4.2 was experienced not merely as loneliness but as the threatened ruin of dependents, and the "rehabilitation" meant to prevent a return to sex work offered, in the women's eyes, no viable substitute for it.

4.5 Emotional Well-Being and Counseling

The cumulative effect of confinement, family severance, legal limbo, and economic threat registered most visibly in the women's mental health. The Ujjawala inmates presented a consistent picture of depression, and a significant minority had moved from despair toward escape or self-harm.



Figure 6 · Mental health among the Ujjawala women, with the Swadhar contrast (Tables 20–21).

Of the Ujjawala inmates who were asked or chose to answer, about 87 percent (20 of 23) were experiencing depressive symptoms at the time of interview. Four had attempted to escape, and the team learned of two who succeeded roughly two weeks before its first visit, before interviews began. Slightly more than fifteen percent were self-harming at the time of interview or had attempted suicide inside the home prior to it.

Depression means ... sometimes I get angry. I want to do something like dying. I am not going home. It is painful whenever I think about it.

— UJJAWALA INMATE

“COUNSELING” WITHOUT COUNSELORS

Most women had been offered some form of “counseling,” but it was generally provided by staff rather than qualified psychologists, and it rarely extended beyond a brief session. Worse, its content frequently compounded the women’s distress rather than relieving it — shading into interrogation and religious correction. One Muslim woman recounted a counselor disputing her very name and identity, then pressing intrusive questions about the mechanics and pricing of her work.

Once when she came, she asked my name and I said that it is [name]. She said, ‘How could it be? You must be Hindu but not a Muslim.’ ... She asked directly, ‘how many shots do you do, what was your price, how much did you earn?’ She asks such questions directly. I don’t like it.

— UJJAWALA INMATE

Every woman interviewed reported being admonished to change her life and leave sex work. The institution did not present itself as neutral custodian but as moral corrective, and the women experienced that correction as judgment.

THE SWADHAR CONTRAST

The Swadhar inmates often shared the same buildings as the Ujjawala women. Many had endured serious prior trauma — domestic violence, abandonment, destitution — yet they largely did not report the depression, escape attempts, or suicidality recorded among the Ujjawala population. In some homes they described the institution with gratitude, as a refuge.

I experienced depression in the beginning of my arrival here. But now I am aware of how a girl should live, how to be courageous ... Here we stay with confidence and courage which we lacked at home. Here we stay like a family. It is very nice here.

— SWADHAR INMATE

The two groups were housed, fed, and administered under the same roofs, often by the same staff. The Swadhar women had come voluntarily and could leave; the Ujjawala women had been brought by force and could not. The difference in their experience was the difference coercion makes.

4.6 The Shelter Heads' Perspective

The administrators who ran the homes were not, for the most part, the villains of the women's accounts. They were a varied and frequently conflicted group — some genuinely devoted to the women in their care, some captured by a moralism they did not examine, nearly all operating under conceptual confusion and chronic financial strain.

CONCEPTUAL CONFUSION

A recurring theme was the heads' difficulty distinguishing trafficking from sex work, and rescue from rehabilitation. One director had begun through an HIV-intervention project and folded "rehabilitation" into that work; the field team recorded a complete conflation of trafficking and sex work, noting that he solicited police to conduct raids so that he might obtain inmates for his home. Pressed on the legal framework, he candidly admitted he had received no training on the trafficking laws. He was not unusual.

CARE, AND ITS LIMITS

Confusion did not preclude kindness. At one Guntur home the staff treated Swadhar inmates warmly, and former inmates returned to visit a place they regarded as home. Yet even sympathetic heads operated within a logic that justified detention for Ujjawala inmates. One explained that releasing women too soon would only return them to sex work. Another, capable of real insight into the harm the system did, voiced doubt about the entire enterprise:

They are doing [sex work] secretly. Bringing them here, exposing them to the public, stamping them in society, making them spend money... what is the use? Are we not damaging their lives? This is my opinion.

— SHELTER HEAD

FUNDING AND THE INSPECTION BOTTLENECK

The heads were nearly unanimous in describing a funding regime that made their work precarious. Grants arrived late — by one account, several years late — leaving organizations unable to pay salaries that already fell below the minimum wage. The release of funds awaited an inspection by a committee requiring a high-ranking Revenue Divisional Officer and a Women and Child Welfare representative to appear together — a coincidence of busy officials perpetually deferred. Crucially, because support flowed in relation to the number of inmates housed, the institution had little financial reason to resolve a woman's case and every reason to retain her.

VOICES FROM INSIDE

In Their Own Words

The women did not ask to be pitied or counseled. They asked, with remarkable consistency, for liberty — to speak to their children, to know when they would go home, to be released without ruinous debt, and to not be told that the way they chose to feed their families was a sin.

“Never ever divide mother and child.”

On the homes' refusal to let mothers reach their children

“I have neither raped nor murdered anyone. We are doing our own work.”

On the premise of the intervention

“There is no food in my home now that I have come outside.”

On being removed as a household's primary earner

SECTION FIVE

Discussion

Read together, the six findings converge on a single conclusion about how the protective-home system functioned in Andhra Pradesh and Telangana during the study period. The system is designed, and justified, as a mechanism for identifying and assisting victims of trafficking. In practice it operated as a mechanism for detaining mostly voluntary sex workers. On the evidence here the two purposes are close to mutually exclusive, because the population the system actually held was overwhelmingly composed of women who had not been trafficked and who experienced the intervention as profound harm.

Each finding contributes a link to that chain. The women were mostly but not entirely adults; most had only ever worked voluntarily; only two were under coercion at the time of the raid. They were nonetheless confined, cut off from children and spouses, and released only through a custody process that often worked against them. They were processed through courts whose timelines they could not learn, on charges many did not know, without awareness of the appeals that might have freed them, and at a financial cost absorbed through debt. They were the primary earners of their households, and the training meant to replace their livelihoods could not approach its earnings. And the accumulated weight produced depression, escape, and self-harm at rates the silence of the most despondent women likely understates.

The Swadhar comparison sharpens the interpretation

It demonstrates that the distress of the Ujjawala women was not an inevitable feature of institutional life, nor a simple reflection of prior trauma — the Swadhar women had suffered gravely and yet did not exhibit the same despair. What distinguished the two populations was the element of coercion: voluntariness of entry, freedom of exit, and whether the institution affirmed or condemned the women's means of survival. The protective home was capable of functioning as a refuge — the Swadhar accounts prove it — but only for those who had chosen it. Imposed on those who had not, the same institution became a site of confinement and moral injury.

A distinction the law already contained

That the government possessed, by 2013, a coercion-based definition of trafficking capable of distinguishing these populations renders the persistence of the older conflation all the more striking. The legal tools to separate the trafficking victim from the sex worker existed; the practice did not deploy them. The shelter heads' conceptual imprecision is one mechanism by which the distinction was lost in the field, but it operates atop a statutory instrument — the ITPA — that never required the distinction to be drawn, and a funding structure that rewarded retention over release.

Relation to existing scholarship

These findings align with a body of regional research describing South Indian sex work as predominantly voluntary, peer-mediated, and undertaken to support households, and with critiques of raid-and-rescue interventions that report harm to the women they purport to help. The present study extends that literature in one important respect: by interviewing women during detention rather than after release, it documents the composition and experience of the detained population directly, at the point where the gap between the ITPA and Section 370 is actually administered.

Limitations

Several limitations qualify these findings. The quantitative analysis rests on a small sample of thirty-two completed Ujjawala interviews, so all statistics are descriptive only and percentages are sensitive to individual cases. Many variables carry “question skipped” responses, and a few (for example, whether a lawyer had been retained) were too uncertain to support firm estimates. The data are self-reported within an institutional setting; though interviews were private, some response bias cannot be excluded. The study covered one region and may not generalize to states with different policies. Finally, the most distressed women were the least likely to be interviewed, so the documented distress, if anything, understates the condition of the full group.

Directions for future research

Future work could extend this study through larger multi-state samples; longitudinal designs that follow women after release to document debt and return to sex work; systematic comparison of Ujjawala and Swadhar trajectories within the same facilities; and research co-designed with sex-worker and survivor organizations to define outcomes that matter to those most affected.

SECTION SIX

Recommendations

The women themselves did not ask to be pitied, counseled, or given better vocational trainings. They asked, with remarkable consistency, for liberty. The recommendations that follow take their requests as the measure of reform.

These are not radical measures. They are the difference between a system that merely detains and one that actively wounds.

ON THE IMMEDIATE CRUELITIES

5

policy directions, from honoring the law already on the books to ending the funding incentive for prolonged detention.

Two of these recommendations address the law and the model of care; three can be implemented immediately, regardless of the larger legislative question.

RECOMMENDATION 01

Honor the distinction the law already contains

Indian criminal law has, since 2013, defined trafficking in terms of coercion, fraud, and exploitation. Enforcement should be brought into line with that definition, so that voluntary adult sex workers are not detained as trafficking victims. At minimum, the ITPA should be implemented selectively — reserved for genuine cases of coercion — rather than applied indiscriminately to all women found in the sex trade.

RECOMMENDATION 02

Repeal and replace, rather than merely streamline

The more durable remedy is to repeal the ITPA and replace it with victim-centered legislation designed in genuine consultation with sex workers and trafficking survivors. Law written without the participation of those it most affects has, in this instance, produced precisely the harms participation would have anticipated.

RECOMMENDATION 03

Abandon the closed-shelter model for community-based support

For those who are genuinely trafficked, the closed protective home is a poor instrument of recovery. Community-based rehabilitation — led where possible by survivors, equipped with qualified psychological care, continuing education, and livelihood options that respect the economic reality of the women's lives — offers a more humane and more effective path than detention.

RECOMMENDATION 04

Guarantee communication and legal assistance now

Restore confiscated documents, cash, and phones; permit private, regular family communication and visits; provide on-site legal assistance; and inform every detained woman of her right to appeal. These harms can be ended without waiting for legislative reform.

RECOMMENDATION 05

End the funding incentive for prolonged detention

Because support flows in relation to the number of inmates housed, the present structure rewards retention over release. Funding should be decoupled from headcount so that no institution has a financial reason to keep a woman confined once her case can be resolved.

CONCLUSION

Whether the Same Walls Shelter or Imprison

This study set out to determine who is actually detained in protective homes under the ITPA in Andhra Pradesh and Telangana, and what they experience there. Conducted inside the homes during detention, it found a population composed predominantly of voluntary adult sex workers rather than trafficking victims as defined by the coercion-based standard now embedded in Indian criminal law, and it documented the legal, economic, familial, and psychological costs of their confinement.

The study's contribution lies in supplying, from primary in-situ evidence, an answer to a question the rescue system's own rationale presumes rather than tests. The distinction between the coerced and the consenting was available in law throughout the study period; the practice of rescue did not honor it. The comparison with the Swadhar inmates indicates that institutions of this kind can support women in distress — but that they do so only when entry is chosen rather than imposed.

Whether the same walls shelter or imprison turns on a question the rescue system has declined to ask — whether the woman chose to be there.

Until that question is asked and its answer honored, the system will continue to detain women who were never its intended subjects.

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ABOUT WOMEN'S INITIATIVES (WINS)

Women's Initiatives is a non-governmental organization based in Tirupati, Andhra Pradesh, working on the rights and welfare of women in the region. This white paper is published by WINS as part of its advocacy for a rescue and rehabilitation system that honors the choices, dignity, and livelihoods of the women it affects.

APPENDICES

APPENDIX A • INTERVIEW VARIABLE FRAMEWORK

Interviews were structured around a common framework spanning four domains. **Demo-graphics:** age; place and state of origin and residence; marital status; homeownership; education. **Household finances:** family size; children; dependants; other earners; earnings before and from sex work; additional monthly need; debt caused by rescue. **Entrance and future plans:** forced entry; reason for entry; work outside sex work; other skills; future plans. **Condi-tions:** communication with family; phone use; visitors; food, clothing, medical care, space; treatment by inmates and staff; escape and self-harm; counseling; court appearance and knowledge of charges; length of detention; and the woman's own opinion of having been res-cued.

APPENDIX B • LOCATIONS AND SAMPLE

Protective homes visited

REGION	HOMES
Andhra Pradesh	14
Telangana	1

Sample summary

SAMPLE COMPONENT	COUNT
Shelter heads interviewed	15
Total inmates interviewed	156
Inmates who declined / discontinued	13
Ujjawala inmates	43
— completed interviews	32
— declined or discontinued	11
Inmates of foreign origin	6

Data collection period: June 2018 – February 2019.

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