

The State of Rescue

Report on Women Remanded to Protective Homes Under the Immoral Traffic (Prevention) Act in Andhra Pradesh and Telangana, 2018–2019

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1. 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 government- and donor-funded institutions known as “protective homes.” The women who arrive in these homes are, in the main, not the victims that the system invoked to detain them imagines. They are adults. They are mothers, wives, and primary earners. Most entered sex work without direct coercion or force. 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.

Individuals selling sex for personal gain, are not explicitly engaged in crime per the Immoral Traffic (Prevention) Act, 1956 (ITPA). 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 who are forced or deceived into the sex trade by a variety of means, the women encountered 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 in order to support themselves and their families more comfortably, and most worked without any male pimp (Sahni and Shankar 2013; Shah 2014; Walters 2016a). Explicit red-light districts are uncommon in the region, though a handful of small towns carry reputations as rural hubs for commercial sex. The point that frames everything which follows is that for the great majority of these women, entering sex work was a decision, not a fate imposed by a trafficker.

Despite the word “traffic” in its title, the ITPA is best understood as anti-prostitution and anti-elopelement 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. The Act explicitly recognized no form of commercial sex that is not coerced, and it described no trafficking unrelated to the sex trade. Its offence-creating provisions—against those who keep a brothel, live on the earnings of prostitution, procure others into it, or detain a person within it—required no proof of any threat, force, fraud, or coercion whatsoever. By criminalizing the activities around prostitution while demanding no finding of coercion, the Act allowed prostitution and trafficking to collapse into a single category, even though it never defined the second. In practice this slippage lets police bypass the very question that ought to have come first: whether a woman they encountered had chosen to sell sex or had been forced into it by others.

That conflation might have seemed inevitable were it not for a competing definition already on the books by the time of this fieldwork. The Criminal Law (Amendment) Act of 2013 (Government of India 2013) inserted Sections 370 and 370A into the Indian Penal Code, importing into Indian law the internationally recognized understanding of trafficking: one that, unlike the older Act,

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. In principle, by 2018 Indian law had therefore already drawn the distinction that the practice of rescue refused to honor. A woman who sold sex without having been forced, defrauded, or coerced was, under Section 370, not a trafficking victim at all.

The rescue machinery simply operated around that definition. A magistrate could order a woman removed and confined under the protective provisions of the Immoral Traffic (Prevention) Act without anyone ever establishing the coercion that Section 370 required; police never needed to meet, or even invoke, the newer threshold. 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 two statutes thus supplied two different answers to the question of who counts as a victim, and the apparatus consistently chose the broader one. The human cost of that choice is what this report traces: women who fell within the Act's sweep but did not meet the definition of a trafficking victim under Section 370 were held as though their participation in sex work were itself the evidence of their victimization.

Between June 2018 and February 2019, a research team interviewed inmates and administrators across fifteen protective homes in the two states. 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, while their court cases were still unresolved, and while the experience of confinement was immediate rather than remembered. The women spoke about locked rooms and silenced telephones, about unclear court dates and an unknown horizon for release, about debts taken on to pay lawyers, and about the erosion of their sense of control over their own lives. They also spoke, with notable clarity, about their work—what it earned, why they had chosen it, and why the tailoring and handicraft “trainings” offered inside the homes struck most of them as no real alternative.

This report analyzes those interview transcripts alongside the coded interview data and the field observations of the research team. It is organized around a central empirical claim and its consequences. The claim is that 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. The report offers recommendations in addition to analysis.

Despite a growing literature on sex-work “rescue” in India (Ahmed & Seshu 2012; Banerjee 2016; Das 2016; Forbes 2016; Ganguly 2016; Magar 2012; Merry & Ramachandran 2016; Niumai 2016; Pai et al. 2018; Ramachandran 2015, 2017; Walters 2016b, 2017, 2020; Walters & Ramachandran 2018), the population actually held inside protective homes under the ITPA has remained largely undocumented from the inside as most studies reach women after release and rely on retrospective recall (*e.g.*, Pai et al. 2018; Walters 2016b, 2020). Few have interviewed women during detention, while their cases are unresolved and the experience is ongoing (see Das 2016

and Ramachandran 2015 for notable exceptions). As a result, basic questions about the composition of the detained population—how many were coerced into sex work and how many entered it voluntarily, who they are demographically, and what they experience inside the homes—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: are they predominantly victims of trafficking, as the law's rationale presumes, or predominantly voluntary sex workers? Second, what conditions and consequences—legal, economic, familial, and psychological—do these women experience during detention? The study's objective was to characterize this population and its experience using interviews and observation conducted inside the homes.

Following preliminary fieldwork and the wider regional literature, we hypothesized that the women detained under the ITPA would prove to be overwhelmingly voluntary adult sex workers rather than trafficking victims as defined by the coercion-based standard of Section 370 of the Indian Penal Code, and that the detention regime would impose substantial legal, financial, familial, and psychological harm on them.

The report proceeds as follows. The Background section sets out the legal architecture of “rescue” and the schemes under which the homes operate. The Methods section describes the sample, procedures, instruments, and coding. The Findings section reports the demographic profile, trafficking status, conditions of confinement, court experience, economic circumstances, and emotional well-being of the women, integrating descriptive statistics with their own accounts, followed by the perspective of the shelter heads. The Discussion interprets these findings in relation to the research questions and existing scholarship, considers limitations and unexpected results, and sets out the study's implications and recommendations. The Conclusion summarizes the study's contribution.

2. Background: Law, Schemes, and the Architecture of “Rescue”

2.1 The Immoral Traffic (Prevention) Act, 1986

The Immoral Traffic (Prevention) Act (ITPA) traces its lineage to the Suppression of Immoral Traffic in Women and Girls Act of 1956, which was amended and renamed in 1986; India's regime of protective custody for “rescued” women extends back further still, to colonial-era regulation of prostitution (Tambe 2009; Forbes 2016). Despite its title, the Act is best understood as anti-prostitution and anti-elopement legislation rather than anti-trafficking legislation in the contemporary sense (Kotiswaran 2011). Its defining feature—and the source of most of the harms documented in this report—is that it does not distinguish between voluntary and forced participation in sex work. A woman who has chosen sex work as an occupation and a woman who has been coerced into it are, under the Act as applied, treated as members of a single category.

The Act mandates rescue, and it mandates the establishment of “protective homes” and “correctional homes” to receive those who are rescued, while offering little guidance on how such homes should operate. It stipulates that a court decision should follow within twenty-one days, but it 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 for the homes, producing wide variation in conditions 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 the presence of 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.

As the Introduction set out, India had incorporated this coercion-based definition into its own criminal law before the fieldwork began. Sections 370 and 370A of the Indian Penal Code, added by the Criminal Law (Amendment) Act of 2013, anchored the offense of trafficking in coercive means and exploitation rather than in the mere fact of selling sex, and extended it beyond the sex trade to labor, servitude, and the removal of organs. The analytic consequence for this study bears restating in precise terms: two legal thresholds coexisted throughout the study period. 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 during the period of this study fell under two government schemes, each with a nominally distinct mandate:

- **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.
- **Swadhar**—homes for women in distress more broadly: victims of domestic abuse, abandonment, poverty, and similar hardships.

In practice the boundaries blurred. Several homes in the sample housed Ujjawala and Swadhar inmates together, and at least one administrator described running both functions with, in the

team's assessment, little distinct provision for either. 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 furnish one of the report's central comparisons.

2.4 A Note on Language

Throughout this report the term “protective homes” is used to refer to the institutions established under the ITPA for the detention and processing of forcibly rescued women, regardless of the local label—shelter home, correctional home, or rehabilitation home—that may attach to any particular facility. The term *Ujjawala* denotes both the homes designated for women held under the Act and, following local convention, the women themselves. “Rescue,” “rehabilitation,” and “moral education” appear in quotation marks where the report wishes to mark the distance between these official terms and the experiences the women described.

3. Methods

3.1 Why Conduct Research Inside the Homes?

Most research on sex-work “rescue” interviews women after their release, often months or years later, and depends upon their recollection of past events they may wish to forget. This study took a different approach by conducting interviews within the protective homes themselves while the women were still detained. The design offered four advantages. It produced a snapshot in time across each location, capturing conditions as they were rather than as they were later remembered. It allowed a defined sampling frame: the population of a given home on a given day. It minimized loss of contact with those who had been rescued, since the women had not yet dispersed. And it ensured that the experiences described were fresh and ongoing rather than reconstructed from memory. Conducting the interviews on-site also allowed the research team to observe the homes directly—their layout and condition, and the interactions among inmates and between inmates and staff—adding a layer of context that off-site interviewing could not supply.

3.2 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 data-collection team comprising seven members. Each team member held certification in ethical research practices through the National Institutes of Health's Collaborative Institutional Training Initiative (CITI).

Interviews were conducted in private, away from the presence of shelter staff, to reduce any real or perceived pressure on participants to answer in ways favorable to the institution. Informed consent was obtained orally as some of the research participants were illiterate or could feel awkward being asked to sign a document. The privacy and willingness of participants was

prioritized before any interview proceeded. Sessions were audio-recorded, then transcribed and translated into English. Transcripts were subsequently coded in NVIVO and SPSS and then cleaned, analyzed, organized into themes.

3.3 Sample Overview

Fieldwork took place between June 2018 and February 2019 across fifteen protective homes—fourteen in Andhra Pradesh and one in Telangana. The heads of all 15 shelters were interviewed. Across all homes, 156 inmates of protective homes were interviewed. Thirteen declined to participate or discontinued the interview during the process. The majority of inmates of every scheme category hailed from Andhra Pradesh and Telangana; five came from Bangladesh and one from Nepal.

Within this larger sample, this report takes as its analytic core the forty-three (43) women held under the Ujjawala (ITPA) scheme. Of these 43, thirty-two (32) completed interviews and eleven (11) either declined to be interviewed or discontinued partway through. The Swadhar and other non-Ujjawala inmates are drawn upon throughout as a point of contrast rather than as the primary object of analysis. Where this report makes quantitative statements about “the Ujjawala inmates,” those statements rest on coded interview records of the women who completed interviews; where it characterizes the group of forty-three (43) as a whole, it does so on the basis of the team's field observations as well.

The 11 Ujjawala inmates who declined to be interviewed appeared not to be a random subset per observation by the field researchers. Those who refused appeared to the fieldwork team to be angry or despondent at being incarcerated in a protective home. Several of these inmates seemed to interpret the request to be interviewed as a request to support or cooperate with the shelter staff. The field researchers interpreted these women's disinclination not as simple unwillingness but as a form of resistance—a refusal directed at the researchers for the misperception that they were allied with an institution and a staff that the women perceived antagonistically. That distressed or despondent women were also the least willing to be interviewed across all scheme categories is itself a finding, and it suggests that the emotional toll documented in this report, if anything, understates the distress of the Ujjawala population as a whole.

3.4 Place of Origin

The women's places of origin reinforce a point central to the report's argument: this was largely a population of local women, not the long-distance trafficking victims of the legislative imagination. Most had origins within Andhra Pradesh and Telangana or in neighboring states; a sizeable minority had traveled across international borders, including five from Bangladesh and one from Nepal. The cross-border cases were atypical; however, anti-trafficking discourse often treats such long-distance transit as the norm.

3.5 Coding and Presentation of the Quantitative Data

The coded interview records of the thirty-two women who completed interviews were tabulated variable by variable and are summarized in the tables that accompany the findings below. Counts (n) are reported with percentages calculated on the number of valid responses for each variable; the denominator therefore varies from table to table and is stated in each. Responses recorded as "not asked" or "declined to answer" are listed separately as "Question skipped" and excluded from the percentage base. Because interviews were conducted on a strictly voluntary basis and respondents were free to decline any question or to end the interview at any point, the relatively high frequency of "question skipped" codes should be read less as missing data in the conventional sense than as a direct artifact of a consent-based method that prioritized the women's comfort and self-determination over completeness of the record. Given the small sample, percentages are offered only as an aid to the reader, to be read alongside the raw counts rather than as an indication of statistical significance; a single respondent represents roughly three percent of the total.

A note on coding: several source cells recorded a categorical code together with an explanatory remark (for example, "Yes — but husband not told"). Such entries are classified here by their categorical code. Entries that were genuinely indeterminate ("not sure," "unclear," "too soon to say") are grouped as "Unclear / indeterminate" rather than forced into a Yes/No category.

4. Findings

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.

Age and minority status

The Ujjawala inmates were, with rare exception, adults. The ITPA is meant to apply only to adults; during the data collection period the Protection of Children from Sexual Offences (POCSO) Act, 2012 and the Juvenile Justice (Care and Protection of Children) Act, 2015 were the instruments meant to be applied to minors. A small minority—about five percent—of Ujjawala inmates were, at the time of interview, minors of sixteen or seventeen. The ages recorded in the interviews clustered in the twenties and thirties, with a mean of 24.9 years and a median of 23.5 (Table 1). 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. As one inmate put it, speaking of the homes' refusal to let mothers and children communicate:

... 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 that Indian law itself had adopted in 2013—almost none did. Only two of the women reported that they were being forced to do sex work at the time of the police raid. About fifteen percent said they had initially been forced or coerced into sex work 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.

Age at entry into sex work is distinct from current age: two of the thirty-two women reported having begun sex work while still minors (Table 8a). Under both the Palermo Protocol and Section 370, entry into sex work as a minor constitutes trafficking regardless of any later consent, so this fact places the initial entry of these two women within the international definition—whether or not they were among the two reported as coerced at the time of the raid, a question the data do not resolve.

These were not, in the women's own framing, victims awaiting rescue. Several articulated a defense of their work that left no room for the premise of the intervention:

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? These are not thefts, rapes, or murders. We are doing our own work. I want to ask only this.

— Ujjawala inmate

Others distinguished sharply between their own situation and genuine trafficking, offering a definition rooted in their experience of the trade rather than in statute. 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.

Demographic profile

Table 1. Age of respondents (years)

Statistic	Value
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Valid responses (n)	30
Mean	24.9
Median	23.5
Minimum	16
Maximum	35
Question skipped	2

One respondent's age was recorded as "17, but the Child Welfare Committee says 25"; the value 17 is used here. Minors (under 18 at the time of interview) numbered two of the thirty valid responses, consistent with the report's finding that only about five percent of Ujjawala inmates were minors.

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%
Question skipped	2	—

Bands derived from the numeric age values in Table 1.

Table 3. Marital status

Response	n	% of valid
Married	11	38%
Unmarried	5	17%
Never married / minor ("N")	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%
Question skipped	3	—

Categories follow the coding in the source data. "Abandoned," "separated," and the various remarriage states are reported as recorded rather than collapsed, to preserve the diversity of the women's domestic circumstances.

Table 4. Children

Response	n	% of valid
No children	10	33%
One child	10	33%
Two children	8	27%
Adopted child	2	7%

Response	n	% of valid
Valid responses	30	100%
Question skipped	2	—

Two records were coded as not asked and are shown as skipped; the remaining thirty responses form the valid base.

Table 5. State or region of origin

Response	n	% of valid
Andhra Pradesh	15	47%
Telangana	5	16%
Karnataka	3	9%
Kerala	1	3%
West Bengal	2	6%
Bangladesh	5	16%
Nepal	1	3%
Valid responses	32	100%

All thirty-two women recorded a place of origin. Most originated within Andhra Pradesh and Telangana or in neighboring states; five came from Bangladesh and one from Nepal. The concentration in Andhra Pradesh and Telangana is consistent with the report's finding that this was a majority local women rather than majority long-distance trafficking victims.

Table 6. Education level

Response	n	% of valid
No formal schooling	8	33%
Primary (standards 1–5)	2	8%
Upper primary / middle (standards 6–9)	8	33%
Secondary (standard 10)	2	8%
Intermediate	2	8%
Graduate (B.A.)	1	4%
Unclear ("not educated", unspecified)	1	4%
Valid responses	24	100%
Question skipped	8	—

Schooling recorded by highest standard completed. The presence of an Intermediate student and a graduate is consistent with the report's observation that the women were not uniformly unschooled.

Trafficking status

Table 7. Forced or coerced at entry into sex work

The single most analytically significant variable: whether the respondent reported having been forced or coerced into sex work at the time she first entered it.

Response	n	% of valid
No — entered voluntarily	27	84%
Yes — forced or coerced at entry	5	16%
Valid responses	32	100%

About fifteen percent of the women reported having initially been forced or coerced into sex work, while the remainder reported entering voluntarily, consistent with the report's findings. "Yes" here denotes coercion at initial entry, not necessarily at the time of the raid (see Table 8).

Table 8. Victim of trafficking at the time of the police raid

Whether, by the respondent's own account, she was being coerced into sex work at the moment of the raid that brought her into custody — the condition most relevant to the international (Section 370) definition of trafficking.

Response	n	% of valid
No — not a victim at time of raid	30	94%
Yes — victim at time of raid	2	6%
Valid responses	32	100%

Only two of the thirty-two women reported being coerced into sex work at the time of the raid. This small number is central to the report's argument that the homes detained predominantly voluntary sex workers.

Table 8a. Age at entry into sex work

Whether the respondent was an adult or a minor at the time she first entered sex work—a variable distinct from her current age (Tables 1–2). Under the Palermo Protocol and Section 370, entry as a minor constitutes trafficking regardless of consent.

Response	n	% of valid
Adult at entry (18 or older)	30	94%
Minor at entry (under 18)	2	6%
Valid responses	32	100%

Two of the thirty-two women reported having begun sex work while still minors. This is the count relevant to the international definition of trafficking and should not be conflated with the two women recorded as currently under 18 in Tables 1–2, nor with the two coerced at the time of the raid in Table 8; whether these subsets overlap is not resolved by the data.

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. This section reports those descriptions.

Locked in

Several women described a confinement so complete that it deprived them of light, movement, and any sense of the world beyond their room. The descriptions are notable for their concreteness:

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: "Recently ... two girls escaped. Since then, we are kept locked up inside [the protective home away from other categories of 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 that 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. Requests to use the phone were met with reproach calibrated to the length of a woman's stay:

When I ask for using the phone, they say, “We came one year ago or six months ago or three months ago. But you have come only the day before yesterday. You are asking for this and that! You are asking for the phone!”

— Ujjawala inmate

For mothers, the inability to reach home produced a particular species of dread, expressed by one woman through the imagery of her dreams:

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 practical fear of a household collapsing in their absence: “Actually I am asking them to phone my family. There is no food in my home now that I have come outside. I want to know how they are surviving without my support.”

The custody trap

Under the ITPA, an adult woman may be released only into the custody of a parent, guardian, or husband (Ahmed and Seshu 2012; Das 2016; Ramachandran 2015). Most women had concealed their occupation from their families. Home administrators often dealt only with a woman's legal husband. The field team recorded instances in which the husband was a source of the woman's hardship, and instances in which he was unaware of her work.

Confinement, contact, and release

Table 9. Family aware of the respondent's detention

Response	n	% of valid
Yes — family knows	25	83%
No — family does not know	3	10%
Partial (e.g., a sibling knows but not the spouse)	2	7%
Valid responses	30	100%
Question skipped	2	—

Entries recording that some relatives knew while others did not, or that relatives knew of the detention but not its true reason, are grouped as “Partial.” Records not coded for this item are shown as skipped.

Table 10. Received personal visitors

Response	n	% of valid
Yes — received visitors	12	38%
No — no visitors	20	62%
Too soon to say (recent arrival)	0	0%
Valid responses	32	100%
Question skipped	0	—

One “No” response carried the remark that staff concealed visiting relatives from inmates; it is counted as “No” here.

Table 11. Permitted to use the telephone

Response	n	% of valid
Yes — phone use permitted	18	69%
No — phone use not permitted	8	31%
Valid responses	26	100%
Question skipped	6	—

Records not coded for this item are shown as skipped. Where phone use was permitted it was frequently restricted in frequency or stripped of privacy, as discussed in the report.

Table 12. Receiving assistance toward release

Response	n	% of valid
Yes — receiving release assistance	30	94%
No — no release assistance	2	6%
Conditional (e.g., held until a child reaches majority)	0	0%
Unclear / uncertain whether progressing	0	0%
Valid responses	32	100%

All but two of the thirty-two women were receiving assistance toward release from family outside, consistent with the report’s findings; the conditional and uncertain categories recorded in the source data are subsumed within these totals.

4.3 The Court Process

The protective homes are nominally temporary way-stations in a judicial process. In the women’s experience they were closer to indefinite holding pens. 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.

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. The interviews contain exchanges in

which a woman, asked the basis of her detention, simply did not know—sometimes piecing together fragments overheard in police conversation. One woman 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 [synonymous with ITPA] case,” but “they did not talk to me about this section.”

The appeal nobody mentioned

Importantly, 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 dramatically 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 whether they were allowed to speak with them directly or not, 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 Section 4.4 notes, helped guarantee a return to the very work the system sought to end. One woman traced the bureaucratic churn that ran up 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.

Court process

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	—

Entries recording an appearance accompanied by remarks that the woman was not addressed directly by the court are counted as “Yes.” One “No” entry noted being taken to a police station and hospital but not to court.

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	—

Table 15. Lawyer retained

Response	n	% of valid
Yes — lawyer retained	6	25%
No — no lawyer retained	8	33%
Don't know	2	8%
Unclear / uncertain	8	33%
Valid responses	24	100%
Question skipped	8	—

Numerous entries expressed uncertainty about whether a lawyer had been engaged or paid (“not sure, madam, maybe”; “husband said he would consult”); these are grouped as “Unclear.” This variable is reported with particular caution.

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.

Primary earners

Most of the Ujjawala inmates were the primary earners in their households, supporting children, parents, and siblings (compare Sahni and Shankar 2013; Shah 2014; Walters 2016b). Their removal did not interrupt a marginal or supplementary income; it removed the income on which a family ran. This is why the severance documented in Section 4.2 was experienced not merely as loneliness but as the threatened ruin of dependents.

What the work earned

The earnings the women reported placed sex work well beyond the reach of the occupational trades offered via trainings. Only three Ujjawala inmates—including the two who had been trafficked—earned less than five hundred rupees per day prior to being detained. Most earned between five hundred and two thousand rupees per day, and some reported as much as four thousand to forty-five hundred. Against these figures, the income from tailoring or assembling plastic flowers and candles was, in the women's assessment, no contest. Several of them asked pointedly how a single earner could lead a decent life selling candle-lights, homemade soaps and pickles, or plastic flowers.

Refusal as rational

Given this arithmetic, the women's frequently noted refusal to cooperate with training reads less as ingratitude than as clear-eyed calculation. All of the women were offered training; almost none believed it could replace their earnings, and many declined to participate for that reason. A small number—three Ujjawala inmates—planned to take up tailoring after release regardless of its lower earnings, and apart from tailoring or a return to sex work, none of the women articulated any other plan for the future. The training, in short, neither matched the women's economic reality nor expanded their sense of possibility; it offered a single, lower-paid substitute to sex work and little else (see Walters 2016b; Pai et al. 2018).

Conditions inside the home

Table 16. Adequacy of food

Response	n	% of valid
Adequate	21	81%
Poor / inadequate	5	19%
Valid responses	26	100%
Question skipped	6	—

One “poor” entry carried the remark that better food was provided only when guests visited.

Table 17. Access to a doctor

Response	n	% of valid
Yes — doctor available / seen	23	88%
Don't know	3	12%
Valid responses	26	100%
Question skipped	6	—

Records not coded for this item are shown as skipped.

Table 18. Skills training

Response	n	% of valid
Yes — offered and engaged	21	72%
Offered, but not interested	3	10%
No — not offered / not receiving	5	17%
Valid responses	29	100%
Question skipped	3	—

Specific trainings named in the data included tailoring/stitching, garland-tying, and a wish to learn computers. “Offered but not interested” reflects the report’s finding that many women declined training they judged economically pointless.

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.

Depression, escape, and self-harm

A majority — about 87 percent (20 of 23) — of the Ujjawala inmates who were asked or who chose to answer the question were experiencing depressive symptoms at the time of interview. Four of the participants had attempted to escape, and the team learned of two women who had succeeded in escaping a home roughly two weeks before the team’s first visit there and before interviews commenced. Slightly more than fifteen percent of the women were self-harming at the time of interview or had attempted suicide inside the home prior to it. The women’s descriptions of their state were direct:

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

As noted in the Methods, the women who declined to be interviewed appeared on observation to be among the more despondent. The recorded rates of distress, therefore, may understate the condition of the group as a whole.

“Counseling” without counselors

Most women had been offered some form of “counseling,” but it was generally provided by staff rather than by qualified psychologists, and it rarely extended beyond a brief session. Worse, the content of these sessions frequently compounded the women's distress rather than relieving it. Counseling shaded into interrogation and into religious correction rather than a therapeutic process that was capable of catalyzing psychological healing. 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 [redacted Muslim name]. She said, “How could it be? You must be Hindu but not a Muslim.” ... She asked directly, “How long have you worked, how many “shots” do you do, what was your price, in how many houses did you practice, how much did you earn?” She asks such questions directly. I don't like it.

— Ujjawala inmate

Shame, prayer, and the injunction to change

Many women reported being made to feel guilty by staff, and many reported being asked to pray as part of their “rehabilitation.” Every woman interviewed reported being admonished to change her life and leave sex work. The moral content of the intervention was, for the women, inescapable. The institution did not present itself as neutral custodian but as moral corrective, and the women experienced that correction as judgment. The result, by their own account and the team's observation, was a population that felt angry, helpless, and depressed.

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. They largely did not report the depression, escape attempts, or suicidality recorded among the Ujjawala population. In some homes, Swadhar inmates described the institution with gratitude, characterizing it as a refuge. One woman who had attempted suicide repeatedly before arriving described the home as the place where she had found footing:

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. They treat us very well, madam.

— Swadhar inmate

The two groups were housed, fed, and administered under the same roofs and often by the same staff. The Swadhar women had in most cases come voluntarily and could leave; the Ujjawala women had been brought by force and could not leave. In some homes, the research team observed and inmates reported that Ujjawala women were treated less favorably than their Swadhar counterparts.

Emotional well-being and counseling

Table 19. Mental distress reported

Response	n	% of valid
Yes — distress reported	20	87%
No — no distress reported	3	13%
Valid responses	23	100%
Question skipped	9	—

Nine records were not asked or not coded for this item and are shown as skipped. As discussed in the report, the women who declined to be interviewed appeared among the most despondent, so this figure likely understates distress in the full group of thirty-two.

Table 20. Counseling offered

Response	n	% of valid
No — counseling not offered	7	29%
Yes — counseling offered	17	71%
Valid responses	24	100%
Question skipped	8	—

One “Yes” entry noted counseling occurring only once in thirty-five days. Consistent with the report’s finding that the majority of women had been offered some form of counseling, most valid responses here record counseling as offered; where it was provided, however, it was generally delivered by staff rather than trained professionals, as the report discusses.

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, in the team’s encounters, 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. Because the value of these encounters lies in their texture rather than in any tally, this section foregrounds the qualitative picture the field reports and head interviews produced.

Conceptual ambiguity

A recurring theme was the heads’ difficulty distinguishing trafficking from sex work, and rescue from rehabilitation. One director had begun his engagement with sex workers through an HIV-intervention project and had folded “rehabilitation” into that work; the field team recorded his stance as a complete conflation of trafficking and sex work, noting that he solicited the 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 legal training (ITPA and IPC 370/370A). He was not

unusual. The team characterized the heads, collectively, as often lacking conceptual clarity across the linked domains of human rights, raids, rescue, rehabilitation, trafficking, and sex work.

Care, and its limits

Confusion did not preclude kindness. At one Guntur home the director and staff were observed to treat Swadhar inmates warmly, allowing them to move about and come and go provided they informed the superintendent; former inmates returned to visit a place they regarded as home. At an Ongole home the Swadhar inmates described the director as kind and attentive to their care. Yet even sympathetic heads operated within a logic that justified detention for Ujjawala inmates. One head explained that releasing women “too soon” would only return them to prostitution, and so they were retained for “their own good”—rehabilitation reconceived as the prevention of the form of work they had used to support themselves and their dependents. Another head, who expressed real insight into the harm the system did, voiced doubt about the entire enterprise:

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

— Shelter head

The same head who voiced that doubt also described bringing in AIDS patients to speak to the women “so that these women might change”—the reformist impulse surviving intact alongside the systemic critique. The heads, in short, frequently wielded the system's contradictions unevenly.

Funding and the inspection bottleneck

Whatever their orientation toward the women, the heads were nearly unanimous in describing a funding regime that made their work precarious. Grants and payments from government schemes arrived late—by one account, several years late—leaving organizations unable to pay salaries that already fell below a living wage, and producing, at one home, the unprecedented departure of staff for want of pay. A structural bottleneck recurred in the accounts: the release of funds awaited an inspection by a committee that had to include a high-ranking Revenue Divisional Officer and a representative of the District Women and Child Welfare Department appearing together—a coincidence of busy officials that, the heads suggested, was improbable and perpetually deferred. The funding structure also carried a perverse incentive that bore directly on the women: 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.

5. Discussion

Read together, the five thematic findings converge on a single conclusion about how the protective-home system functioned in Andhra Pradesh and Telangana during the study period of 2018-2019. The system was designed, and continued to be justified, as a mechanism for identifying and assisting victims of trafficking. In practice it operated as a mechanism for

detaining mostly voluntary sex workers. The two purposes are not merely different; on the evidence here they 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 inmates were mostly but not entirely adults, not minors; most had only ever worked voluntarily; only two were under coercion at the time of the raid (Section 4.1). They were nonetheless confined, cut off from children and spouses, and released only through a custody process that often worked against them (Section 4.2). 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 that deepened rather than alleviated their financial precarity (Section 4.3). They were the primary earners of their households, and the training meant to replace their livelihoods could not approach its earnings, making refusal rational and “rehabilitation” largely notional (Section 4.4). And the accumulated weight of these conditions produced depression, escape, and self-harm at rates that the silence of the most despondent women likely understates (Section 4.5).

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, since 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.

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; practice did not deploy them (Kotiswaran 2014b; Walters 2020). The shelter heads' conceptual imprecision and confluences, noted in Section 4.6, 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 in the first place, and a funding structure that rewarded retention over release (Ahmed and Seshu 2012).

5.1 Interpreting the Findings

The conditions reported in the Findings admit a consistent interpretation that the custody requirement, nominally a safeguard, functioned in practice as a further obstacle to release: because an adult woman could be released only into the custody of a parent, guardian, or husband—and because most women had concealed their occupation from their families—the provision converted release into a negotiation conducted largely without the woman's participation. Likewise, the tightening of confinement after escapes, and the differential

treatment of Ujjawala inmates relative to Swadhar inmates, are consistent with a regime oriented toward control rather than care.

The Swadhar comparison is this study's most analytically significant result. It demonstrates that the distress concentrated among the Ujjawala women was not an inevitable feature of institutional life, nor a simple reflection of prior trauma—the Swadhar women had often suffered gravely and yet did not exhibit the same despair. What distinguished the two populations was coercion: voluntariness of entry, freedom of exit, and whether the institution affirmed or condemned the women's means of survival. The same walls could function as a refuge or as a prison depending on whether a woman had entered by choice. The protective home was capable of functioning as a place of recovery, but on this evidence only for those who had chosen it; imposed on those who had not, it became a site of confinement and moral injury.

5.2 Relation to Existing Scholarship

These findings align with, and extend, a substantial body of scholarship on sex work and anti-trafficking in India and beyond. Three strands of that literature are especially pertinent: research on the character of sex work in South India, critiques of the “rescue industry” and the moral panic that sustains it, and analyses of the legal and bureaucratic machinery through which rescue is administered.

First, the demographic and economic profile documented here—adult women, most with dependents, the majority entering sex work voluntarily and as primary earners—is consistent with studies that describe Indian sex work as predominantly chosen, peer-mediated, and undertaken to support households rather than the product of abduction or deception (Sahni and Shankar 2013; Shah 2014; Walters 2016a). Survey research in Andhra Pradesh has likewise found that entry is shaped by economic need and the death or desertion of a husband far more often than by force (Dandona et al. 2006), a pattern echoed in the marital and household data reported above. That so few of the women in this sample met any coercion-based definition of trafficking is therefore not anomalous; it reflects the actual composition of the population that the ITPA reaches.

Second, the harms documented inside the homes corroborate a now-extensive critical literature on anti-trafficking “rescue.” Scholars have argued that the contemporary preoccupation with sex trafficking operates as a moral panic, sustained by hyperbolic claims and a conflation of all commercial sex with coercion (Kempadoo 2005; Weitzer 2006; Doezema 2010), and that the resulting “rescue industry” frequently harms the women it claims to save (Agustín 2007; Vance 2011). Within India, this critique has been developed through legal analysis of the ITPA and proposals for its reform (Kotiswaran 2011, 2014a, 2014b), through activist and movement documentation of raids and their consequences (Ahmed and Seshu 2012; Pai et al. 2018), and through the few existing accounts of life inside protective homes (Das 2016; Ramachandran 2015). The present findings—indefinite detention, severed family contact, the futility of skills training measured against sex-work earnings, and widespread depression and self-harm—match the mechanisms of ‘humanitarian trafficking’ and the miscalculation of rehabilitation described

in prior work on the same region (Walters 2016b, 2020). The Swadhar contrast reported here adds empirical weight to that critique: because both groups were housed under the same roofs and administered by the same staff, the divergence in their distress isolates coercion of entry and denial of exit—rather than institutional conditions as such—as the source of the Ujjawala women's suffering.

Third, the legal and bureaucratic dynamics traced in this report extend scholarship on how anti-trafficking governance actually operates. Others have shown that international pressure—channeled in part through the United States' annual Trafficking in Persons Report and the broader expansion of anti-trafficking law—reshaped national enforcement priorities (Chuang 2006, 2014), and that the quantitative indicators driving that pressure measure performance of compliance rather than improvement in women's lives (Merry 2016). The custody requirement examined here—under which an adult woman may be released only to a parent, guardian, or husband—has been criticized as both constitutionally suspect and practically harmful, returning women to the very kin relations whose failure often precipitated their entry into sex work (Ahmed and Seshu 2012; Ramachandran 2015; D'Cunha 2002). This report's contribution to that literature is evidentiary and situated: 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's older presumption and the coercion-based definition of Section 370 is actually administered. Where most accounts reach women after the fact and reconstruct detention from memory, the data here capture it as an ongoing condition, and they locate the problem not in the failings of individual administrators alone but in the statutory architecture and funding incentives of the rescue system itself.

5.3 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; they are reported alongside raw counts for this reason. Many variables carry “question skipped” responses, reducing the valid base for some items, and a few variables (for example, whether a lawyer had been retained) were too uncertain in the source records to support firm estimates. The data are based on self-report gathered inside an institutional setting; although interviews were conducted privately and without staff present, some response bias cannot be excluded. The study covered one region—fourteen homes in Andhra Pradesh and one in Telangana—and its findings may not generalize to other states with different policies. Finally, as noted in the Methods, the women who declined to be interviewed appeared on observation to be among the most distressed; their absence from the data means the documented levels of distress, if anything, understate the condition of the full group.

5.4 Directions for Future Research

Future research could extend this work in several directions: larger multi-state samples that would permit more robust quantitative comparison; longitudinal designs that follow women after release to document the economic and legal consequences of experiencing ITPA detention,

including debt and return to sex work; systematic comparison of Ujjawala and Swadhar trajectories within the same facilities; and studies that incorporate the perspectives of shelter staff, magistrates, and Child Welfare Committees to map how the gap between the ITPA and Section 370 is administered in practice. Research co-designed with sex-worker and survivor organizations would be especially valuable in defining outcomes that matter to those most affected.

5.5 Implications and Recommendations

The women themselves did not ask to be pitied, counseled, or given “better” vocational trainings. They asked, with remarkable consistency, instead for liberty: liberty to speak to their children; to know when they would go home; to be released without ruinous debt; to not be told that the way they chose to feed their families was a mistake or sin. The recommendations that follow take their requests as the measure of reform.

- **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.
- **Repeal and replace, ideally, 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.
- **Abandon the closed-shelter model for community-based rehabilitation.** 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 do not insult the economic reality of the women's lives—offers a more humane and more effective path than detention.
- **Fix the immediate cruelties now.** Regardless of the larger legislative question, several harms documented here could be ended without waiting for reform: 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; and end the funding structure that rewards prolonged detention. These are not radical measures. They are the difference between a system that merely detains and one that actively wounds.

6. Conclusion

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—and, 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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Appendix A. Interview Variable Framework

Interviews were structured around a common variable framework spanning demographics, household finances, work and skills, and conditions of detention. The principal variables are summarized below; italicized items were derived or contextual rather than asked directly.

Demographics:

Age; place, district, and state of origin; place, district, and state of residence; marital status; homeownership; education level.

Household finances:

Family size; presence of children; number of dependants; other family members employed; earnings before entering sex work; earnings from sex work; the difference between the two; additional monthly need; debt caused by rescue.

Sex work entrance and future plans:

Forced entry; reason for entry; work outside of sex work; other skills gained; future plans.

Conditions and contextual factors:

Communication with family and outsiders; phone usage; personal and official visitors; food, clothing, medical care, space, and toiletries; treatment by inmates and staff; escape and self-harm; counseling offered and desired; court appearance and knowledge of charges; length of detention; loss of reputation; and the woman's own opinion of having been rescued.

Appendix B. Locations and Sample Summary

Item	Andhra Pradesh	Telangana
Protective homes visited	14	1

Sample component	Count
Shelter heads interviewed	15
Total inmates interviewed	156
Inmates who declined or discontinued	13
Ujjawala inmates	43
— completed interviews	32
— declined or discontinued	11
Inmates of foreign origin	6

Data collection period: June 2018 – February 2019.

References

- Agustín, Laura María. 2007. *Sex at the Margins: Migration, Labour Markets and the Rescue Industry*. Zed Books.
- Ahmed, Aziza, and Meena Seshu. 2012. “‘We Have the Right Not to be Rescued’: When Antitrafficking Programmes Undermine the Health and Well-Being of Sex Workers.” *Anti-Trafficking Review* 1: 149–168.
- Banerjee, Paula. 2016. “Criminalising the Trafficked: Blaming the Victim.” *Economic and Political Weekly* 51 (44/45): 62–68.
- Chuang, Janie. 2006. “The United States as Global Sheriff: Using Unilateral Sanctions to Combat Human Trafficking.” *Michigan Journal of International Law* 27: 437–494.
- Chuang, Janie. 2014. “Exploitation Creep and the Unmaking of Human Trafficking Law.” *American Journal of International Law* 108 (4): 609–649.
- Dandona, Rakhi, Lalit Dandona, G. Anil Kumar, Juan Pablo Gutierrez, Sam Mcpherson, Stefano M. Bertozzi, and ASCI FPP Study Team. 2006. “Demography and Sex Work Characteristics of Female Sex Workers in India.” *BMC International Health and Human Rights* 6 (1): 5.
- Das, Barnali. 2016. “‘Who Would Like to Live in This Cage?’ Voices From a Shelter Home in Assam.” *Economic and Political Weekly* LI: 44–45.
- D’Cunha, Jean. 2002. “Trafficking in Persons: A Gender and Rights Perspective.” Paper presented at the Expert Group Meeting on Trafficking in Women and Girls, November 18–22.
- Doezema, Jo. 2010. *Sex Slaves and Discourse Masters: The Construction of Trafficking*. London: Zed Books.
- Forbes, Geraldine. 2016. “Politics of Rescue, Voices of the Trafficked.” *Economic and Political Weekly* 51 (44/45): 44–45.
- Ganguly, Baitali. 2016. “‘Next Time I Will Go to Dubai’: How Rescue and Rehabilitation Fails Women.” *Economic and Political Weekly* 51 (44/45): 85–91.
- Government of India. 1956. *The Immoral Traffic (Prevention) Act, 1956* (as amended 1978 and 1986). New Delhi: Government of India.
- Government of India. 2013. *The Criminal Law (Amendment) Act, 2013* (inserting Sections 370 and 370A into the Indian Penal Code). New Delhi: Government of India.
- Kempadoo, Kamala. 2005. “Introduction: From Moral Panic to Global Justice: Changing Perspectives on Trafficking.” In *Trafficking and Prostitution Reconsidered: New Perspectives on Migration, Sex Work, and Human Rights*, edited by Kamala Kempadoo, Jyoti Sanghera, and Bandana Pattanaik, vii–xlii. Boulder: Paradigm Publishers.
- Kotiswaran, Prabha. 2011. *Dangerous Sex, Invisible Labor: Sex Work and the Law in India*. Princeton, NJ: Princeton University Press.
- Kotiswaran, Prabha. 2014a. “Beyond Sexual Humanitarianism: A Postcolonial Approach to Anti-Trafficking Law.” *UC Irvine Law Review* 4: 353–406.

- Kotiswaran, Prabha. 2014b. "Beyond the Allures of Criminalization: Rethinking the Regulation of Sex Work in India." *Criminology and Criminal Justice* 14 (5): 565–579.
- Magar, Veronica. 2012. "Rescue and Rehabilitation: A Critical Analysis of Sex Workers' Antitrafficking Response in India." *Signs: Journal of Women in Culture and Society* 37 (3): 619–644.
- Merry, Sally Engle. 2016. *The Seductions of Quantification: Measuring Human Rights, Gender Violence, and Sex Trafficking*. Chicago, IL: University of Chicago Press.
- Merry, Sally Engle, and Vibhuti Ramachandran. 2016. "The Limits of Consent: Sex Trafficking and the Problem of International Paternalism." In *Paternalism beyond Borders*, edited by Michael N. Barnett, 224–255. Cambridge: Cambridge University Press.
- Niumai, Ajailiu. 2016. "Unspoken Voices of Trafficked Women and Children in Manipur." *Economic and Political Weekly* 51 (44/45): 69–76.
- Pai, Aarthi, Meena Seshu, Laxmi Murthy, and Rakesh Shukla. 2018. *Raided: How Anti-Trafficking Strategies Increase Sex Workers' Vulnerability to Exploitative Practices*, viewed on 19 August 2018, <https://www.sangram.org/resources/Raided-Book.pdf>.
- Ramachandran, Vibhuti. 2015. "Rescued but Not Released: The 'Protective Custody' of Sex Workers in India." *openDemocracy*, August 18.
- Ramachandran, Vibhuti. 2017. "Critical Reflections on Raid and Rescue Operations in New Delhi." *openDemocracy*, November 25.
- Sahni, Rohini, and V. Kalyan Shankar (2013): *Sex Work and its Linkages with Informal Labour Markets in India: Findings from the First Pan-India Survey of Female Sex Workers*, IDS Working Paper No. 416, Brighton: Institute of Development Studies.
- Shah, Svati P. 2014. *Street Corner Secrets: Sex, Work, and Migration in the City of Mumbai*. Durham, NC: Duke University Press.
- Tambe, Ashwini. 2009. *Codes of Misconduct: Regulating Prostitution in Late Colonial Bombay*. Minneapolis, MN: University of Minnesota Press.
- United Nations. 2000. *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime* (Palermo Protocol). New York: United Nations.
- Vance, Carole. 2011. "Thinking Trafficking, Thinking Sex." *GLQ: A Journal of Lesbian and Gay Studies* 17 (1): 135–143.
- Walters, Kimberly. 2016a. "The Stickiness of Sex Work: Pleasure, Habit, and Intersubstantiality in South India." *Signs: Journal of Women in Culture and Society* 42 (1): 99–121.
- Walters, Kimberly. 2016b. "Humanitarian Trafficking: The Violence of Rescue and the (Mis)calculation of Rehabilitation." *Economic and Political Weekly* LI (44–45): 55–61.
- Walters, Kimberly. 2020. "Moral Security: Anti-Trafficking and the Humanitarian State in South India." *Anthropological Quarterly* 93 (3): 289–320.

Walters, Kimberly, and Vibhuti Ramachandran. 2018. "A Recipe for Injustice: India's New Trafficking Bill Expands a Troubled Rescue, Rehabilitation, and Repatriation Framework." *openDemocracy*, July 30.

Weitzer, Ronald. 2006. "Moral Crusade Against Prostitution." *Society* 43 (3): 33–38.