



INVESTIGATING CASES OF CHILD SEXUAL ABUSE AND HUMAN TRAFFICKING

Training organised by Bengaluru City Police
Supported by Vihaan and Enfold Proactive Health Trust

***Workshop to discuss and address challenges and lacune in
handling cases of human trafficking and sexual crimes against
children***



One of the most vulnerable groups in any society are its women and children. When women and children become victims of crime, they need the unwavering protection of the State, members of the society, and the justice system. However, ground reality is that more often than not, the system does not allow them to fully participate in the justice process, especially in decisions that affect them. Furthermore, they usually do not receive the assistance, support, and protection they require and are entitled to. Police are the 'gatekeepers' of the justice system and every day, women and children.

This contact often occurs at times when a vulnerable child is most in need of support and guidance or when a woman has exhausted all other means of support. Sensitization and training is essential to ensure that this



engagement is a positive one, where both sides emerge with dignity and respect. Training helps to ensure that women and children are protected, supported, and empowered and that system induced trauma is reduced

Vihaan in collaboration with **Enfold Proactive Health Trust** organised training for the Bengaluru City police on the issue of human trafficking and sexual crimes against children. Key personnel handling cases and documentation at the police station – Police Inspectors, Police Sub-Inspectors, Assistants to the Investigating Officers, Child Welfare Police Officers and those directly involved in investigating cases and implementing legislations relating to women and children participated in the training. A One-day program was organised at each of the **eight divisions of Bengaluru City**.



Training for each of the division were held as per the details given below:

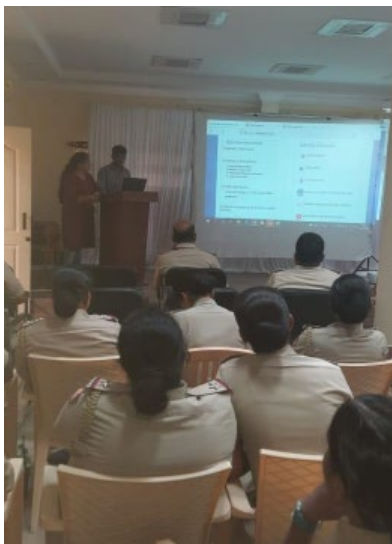
S.N.	Division	Date	Training Venue	No. of Police Stations	No. of Participants
1.	Northeast	10 th May 2022	Sampigehalli PS	11	54
2.	East	11 th May 2022	Baiyappanahalli PS	14	63
3.	Whitefield	12 th May 2022	Lowry Memorial school, KR Puram	08	53
4.	Southeast	17 th May 2022	Koramangala PS	13	41
5.	South	19 th May 2022	Hanumantha Nagar PS	17	71
6.	Central	24 th May 2022	Rotary Club, Lavelle Road	12	47
7.	West	26 th May 2022	Federation of Karnataka Chambers of commerce and Industry (FKCCI)	18	47
8.	North	31 st May 2022	Gangamma Gudi PS	18	82

The training focused on addressing the process and procedures to be followed by the police when handling cases of child sexual abuse, trafficking for sexual exploitation and the skills required in handling these cases, ensuring a sensitive response when handling cases of children and women at the police station leading to a positive interface between victims and the police. The objective of this training was to facilitate understanding of legal aspects and procedures and to help law enforcers to handle cases more appropriately and with sensitivity.

The days' program was as follows:

TOPIC	AREAS OF FOCUS	METHODOLOGY
Child Sexual Abuse & POCSO Act	Dynamics of CSA & challenges with reporting	Poll survey and Interactive session
	Recent amendments to the POCSO Act & Rules, MTP Act	Question and Answer
	Process and Procedures to be followed during investigation, convergence with other stakeholders	Presentation & Interactive session
	Case study	Police officer to share good practices in investigation
	Facilities available at the Nirbhaya Kendra (One Stop Centre) for POCSO victims and women	Presentation
	ITSSO Portal	Presentation
Human Trafficking	Understating Human Trafficking and Sec. 370 IPC	Presentation & Interactive session
	Situational Analysis of HT in Bengaluru City and its relation to investigation	Interactive session with Police officers sharing their experiences and understanding
	Process and procedures for handling cases of sex trafficking	Case Study, Presentation, and Interactive session
	Repatriation - In country and Inter country	Presentation and Interactive session.
Feedback and Post training evaluation		

The session on **sexual violence against children** was handled by **Ms. Kushi Kushalappa, Mr. Babu K.V** and **Ms. Vasumathi Bhaskar** from **Enfold Proactive Health Trust**. Participants were lead through a presentation facilitating a better understanding of child sexual abuse, focusing on the process of grooming, the impact, and effects of sexual violence on children. This was followed by a discussion on the legislations to address the issue, primarily The Protection of Children from Sexual Offences Act the amendments to the Act and Rules, the acts of sexual violence as defined in the Act was discussed in detail. The importance of including subsections enumerated in the definitions was stressed upon. The resource person walked the participants through the procedures to be followed when handing cases of child sexual abuse and hurdles faced by the child and family at every stage. The session ended with a brief on the procedures for medical termination of pregnancy and victim compensation.



Ms. Chandrakala, PI Cyber Crime – COP introduced the **ITSSO (Investigation Tracking System for Sexual Offences)**, a central web-portal to monitor filing of chargesheet in POCSO cases. After logging into the web-portal, she pointed out police stations who had not filed chargesheets within the mandated 60 days and police stations who were yet to file chargesheets even after 180 days. She impressed upon the investigating officers to ensure that chargesheets were filled within the mandated time. The **ICJS and MCCTNS** software was presented by **Mr. Channamalappa**. He explained the salient

features of the ICJS web-portal and the MCTTNS App and how it could be used by the officers at the field level.

The objective, structure and services provided at the **Nirbhaya Kendra (One-stop Centre)** was presented by **Ms. Lakshmi, Sub-inspector – Nirbhaya Kendra**. She explained in



detail the services provided by the Centre at the time of investigation and trial – medical examination, recording of 161 and 164 CrPC statements, counselling services, availability of video conferencing at the time of evidence and the availability of temporary shelter. Most of the participants were unaware about the

centre and questions relating to the recording of 161 and 164 Cr.PC statements and temporary shelter were raised.

The **session on Human Trafficking** was handled by the team from Vihaan comprising of **Ms. Shriya Hegde, Ms. Parvathi Nair, Mr. Ambrish Jairaj, Mr. RAH Siguran, Ms. Shanti D'souza and Ms. Rovina Bastian**. The

session began with a discussion on the process and definition of human trafficking. Sec. 370 IPC and its sub-sections was examined in detail emphasising the use of sub-sections to highlight the gravity of the offence. Through a case scenario the participants were led to understand the definition of prostitution and how commercial sexual exploitation occurs today. The difference between prostitution and sex work was also talked about. Brothel systems and commercial sexual exploitation in current times and how trafficking networks have improvised to trounce the law was discussed.





Pre rescue, rescue and post rescue procedures as detailed in the Immoral Trafficking Prevention Act was discussed through case scenarios focussing on the sections for punishment, officer designated to conduct rescue and procedures for investing cases. The sessions ended

with a presentation on the process to be followed for in-country and inter-country repatriation and victim compensation. Most participants were unaware of procedures for repatriation and would very often release victims from the police station.

Challenges and issues raised by police officers

Department	Issues raised
Health and Family welfare (Medical processes)	<ul style="list-style-type: none"> ▪ Private hospitals not conducting medical examination & treatment ▪ Hospitals not providing treatment and examination free of cost ▪ Copy of Medical reports not handed over to child and family ▪ Delay in handing over medical reports to police officer ▪ Most hospitals treat police officers very badly – made to wait for long hours ▪ Police expected to provide materials for packing of samples like cloth, containers, etc, ▪ Request CWC order for MTP ▪ Bowring takes 2-3 days for medical examinations and child is required on all days

	<ul style="list-style-type: none"> ▪ No co-ordination between Bowring hospital and Goshia Hospital- make the child run around for the tests and scanning. ▪ Baptist hospital does not examine victims of sexual violence ▪ St John's hospital charges for all the services provided and families are not able to afford to pay so police officers pay the amounts. ▪ Ambedkar hospital does not examine victims of sexual violence ▪ Sakara Hospital delaying handing over medical reports to police
Child Welfare Committee (CWC)	<ul style="list-style-type: none"> ▪ Inordinate delay in handing over child to the family after she is produced before CWC ▪ No coordination with CWC ▪ Delays in accepting child into CCI ▪ Expect police to remain with the child when the child is placed at a CCI
Public Prosecutors (PP)	<ul style="list-style-type: none"> ▪ Delays in receiving feedback on charge sheet submitted for scrutiny ▪ PPs demanding that IOs bring the charge sheet in person - it was suggested that PPs call the IOs once the scrutiny is done so any suggestions can be explained to the IO
Forensic Science Lab (FSL)	<ul style="list-style-type: none"> ▪ Dates given for handing over reports are not maintained

Magistrate:	<ul style="list-style-type: none"> ▪ Not sensitised to record statements - make children stand in the witness box and give statements. ▪ Parents or trusted adult not allowed inside the room when requested ▪ Demand IOs to come to handover the statement ▪ Training of magistrates to be done through the Judicial Academy
Police:	<ul style="list-style-type: none"> ▪ Police have to use public transport to take children for medical examination, to the shelter home etc. for which they have to spend from their pocket or ask the family to pay ▪ Police have to spend their personal money for expenses incurred towards tracing children who have eloped and investigating child related cases. The investigation fund allocated is insufficient and reimbursement is delayed. ▪ Police IT systems are slow, leading to delays in the FIR being handed over to the child and family
Reception Centre:	<ul style="list-style-type: none"> ▪ RTPCR test made mandatory for admission and temporary shelter for victims rescued at night is a challenge

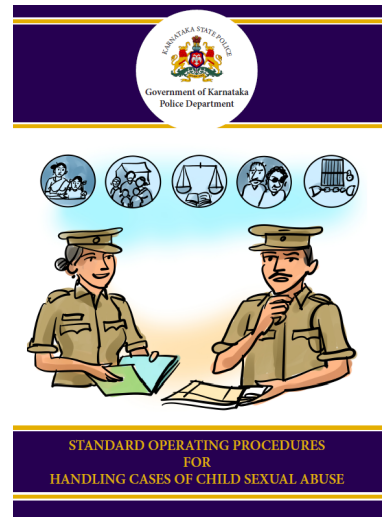
Recommendations

- Identify at least one government/private hospital in each of the eight divisions and call for a meeting of the HoDs of the Dept. of Gynaecology and Forensic Medicine to discuss the issues raised.
- Issue circular to all police stations on the use of sub-sections relating to POCSO and 370 IPC.
- Request DCWC to stop mandatory RTPCR test for admitting adult victims to Reception Center and State Home.
- Permit use of Pink Hoysala or provide vehicles to transport victims of POCSO for medical examination and recording of I64CrPC Statements.

- Certain amount of the investigation fund to be made available with ACP in-charge of Special Juvenile Police Unit (SJPU) for expenses incurred towards cases relating to children

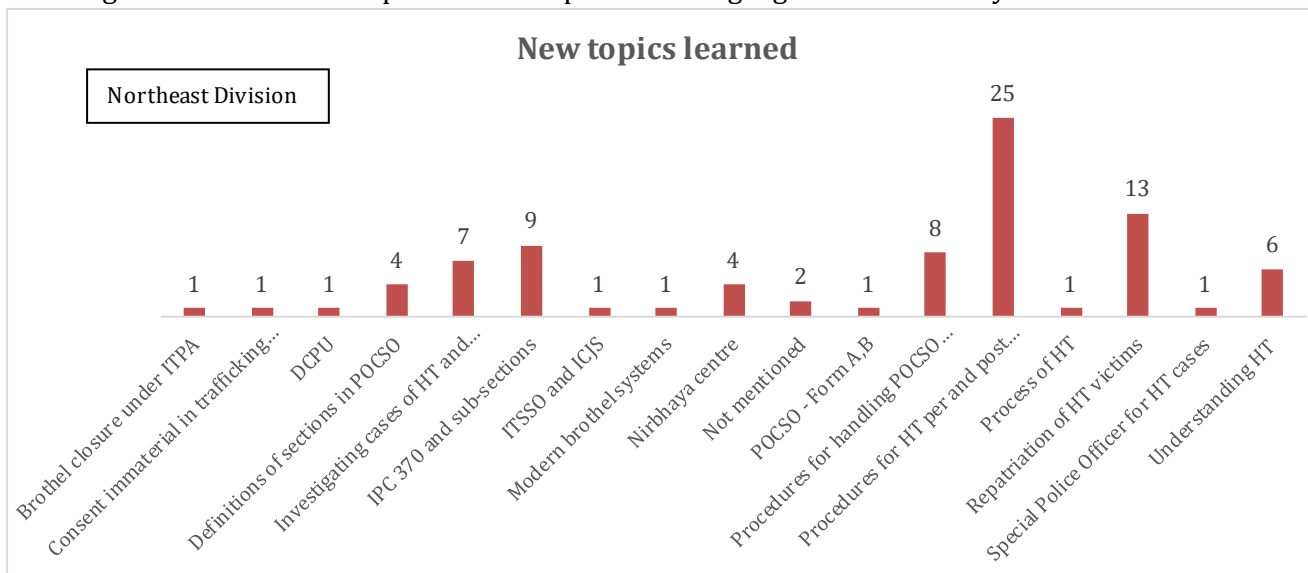
Materials handed over to participants:

- Soft copies of the following materials were sent to the officer in-charge of the SJPU to be sent out to all police stations in their respective divisions.
- Form A, Form B (POCSO Rules) and Form 17 (JJ Rules)
- SOP for management of cases of child sexual abuse issued by the Chief office on 12-4-2018
- Guideline and Protocols - Medico-legal care for survivors/victims of Sexual Violence issued by MoH&FW
- Medical Termination of Pregnancy (Amendment) Act, 2021
- Govt. Notification on Special Police Officer designated under Sec. 13 of ITPA
- Templates for requests made under ITPA



Analysis of feedback

Post training feedback forms were administered to assess the training. Training feedback could not be administered to the participants of the training held at Whitefield Division due to logistical issues. The responses were uploaded on a google form and analysed.



90% of the participants rated the training as excellent and good. 83% of the participants said that the trainers had good knowledge about the topics and responded to questions well. 96% of the participants said that the training will help them in the performance of their work but some of the participants felt that the time allocated for each topic was not sufficient.