

Epi-Criminological Responses to Human Trafficking of Young Women and Girls for Involuntary Prostitution in South Africa

THOZAMA MANDISA LUTYA

Department of Social Work and Criminology, University of Pretoria, South Africa

Abstract

This is a scholarly analysis of the epidemiological criminology measures applied by South Africa to combat human trafficking of women and girls for involuntary prostitution. It comprises a description of the range of services provided by South African and international organizations and institutions responding to human trafficking of women and girls for involuntary prostitution. Firstly, the sources of information collected to assemble this paper are described. Secondly, the theoretical framework of epi-criminology and the conceptual framework of human trafficking for involuntary prostitution are explained. Thirdly, criminological and public health challenges facing South Africa are discussed briefly as factors giving rise to human trafficking of young women and girls for involuntary prostitution. The fourth aspects discussed are epi-criminological responses, and challenges facing South Africa when responding to human trafficking of women and girls are described. Although victims of human trafficking would still remain hidden with legislation, in the absence of the Human Trafficking Law South Africa cannot determine the extent of the crime. In addition, an ambiguous approach to prostitution prevails in communities and among South African Police Service (SAPS) officers. Furthermore, it is possible that poverty alleviation programmes aimed at mediating poverty and unemployment challenges may not be reaching the targeted populations. To conclude, an emphasis on a multi-faceted approach to address human trafficking of women and girls is advised. South Africa is currently applying a prevention, protection of victims, and prosecution of traffickers approach to respond to human trafficking of girls for involuntary prostitution.

KEY WORDS: Crime, Crime prevention, Criminology, Epidemiology, Epi-criminology, Human trafficking, Involuntary prostitution, Public health

Introduction

Epi-criminology is a theory that describes crime as a matter affecting public health and well-being of citizens. In turn, the theory applies criminal justice and public health strategies to prevent crime, protect victims, and prosecute offenders. A multitude of criminological and public health factors exist affecting the general well-being of South African citizens, giving rise to human trafficking of women and girls for involuntary prostitution. Interpersonal violent crimes such as gender violence and child abuse are vital crimes putting young women and girls in vulnerable conditions of being trafficked for involuntary prostitution (Abrahams et al. 2003; Bermudez 2008; Centre for the Scientific and Industrial Research (CSIR) 2005; Community Agency for Social Enquiry (CASE) 2005; Jewke et al. 2006; Molo Songololo 2005; Vetten et al. 2008). Vicarious victimization, prostitution, an ineffective criminal justice system, and porous borders are other criminological factors affecting the public health of South African citizens (Sigsworth 2008; South African Law Reform Commission (SALRC) 2009), whilst teenage pregnancies, absolute and relative poverty, nutritional deficiencies, overcrowded environments, and poor sanitation are public health factors that could lead to human trafficking of young women and girls for involuntary prostitution (CSIR 2005; Molo Songololo 2005; Noble et al. 2007; Cluver et al. 2007; Dawes et al. 2007; Flisher 2007; Bermudez 2008; Holtmann 2008). To avoid what is called 'second-wave trafficking',¹ an effective response necessitates a combination of approaches to consider the daily realities of trafficked young women and girls before, during, and after they have been sexually exploited through involuntary prostitution. The following story illustrates the need for epi-criminological responses for human trafficking of young women:

¹ Second-wave trafficking implies formerly trafficked victims becoming human traffickers by returning to countries or places of origin to traffic other girls for their own benefit.

Having been born and deserted by her biological mother, who left her in the care of an adoptive grandmother, Elsie, 13, from Port Elizabeth, Eastern Cape Province, has never known her biological origins, she has no identity, sense of belonging, and has never had a birthday, because she does not know when she was born. She was trafficked at the age 10 and forced into prostitution first by a ‘family’ member and subsequently by traffickers. She has been raped by clients and traffickers, physically and verbally abused, experienced near-death, stabbed a girl and left her to die, and been defrauded by clients of her earnings. Although she met a kind boyfriend who was willing to teach her how to read and write she kept going back to her traffickers until she was found by the South African Police Service (SAPS) officers. (Muller and Holley 2009).

It can be ascertained from this narrative that her vulnerability—lack of identity with no biological origins—made her an easy prey to any person who demonstrated an ability to help her. Consequently, Elsie’s life would revolve around potential supporters such as human traffickers. To respond adequately to victims such as Elsie, epi-criminology might seem to be the best strategy. This approach utilizes primary, secondary, and tertiary strategies in response to populations at risk of dangers such as human trafficking of young women and girls for involuntary prostitution. Although South Africa has yet to read into law the Human Trafficking Bill, public health, crime prevention, and criminological strides have been made to respond proactively and reactively towards the human trafficking of young women and girls for involuntary prostitution.

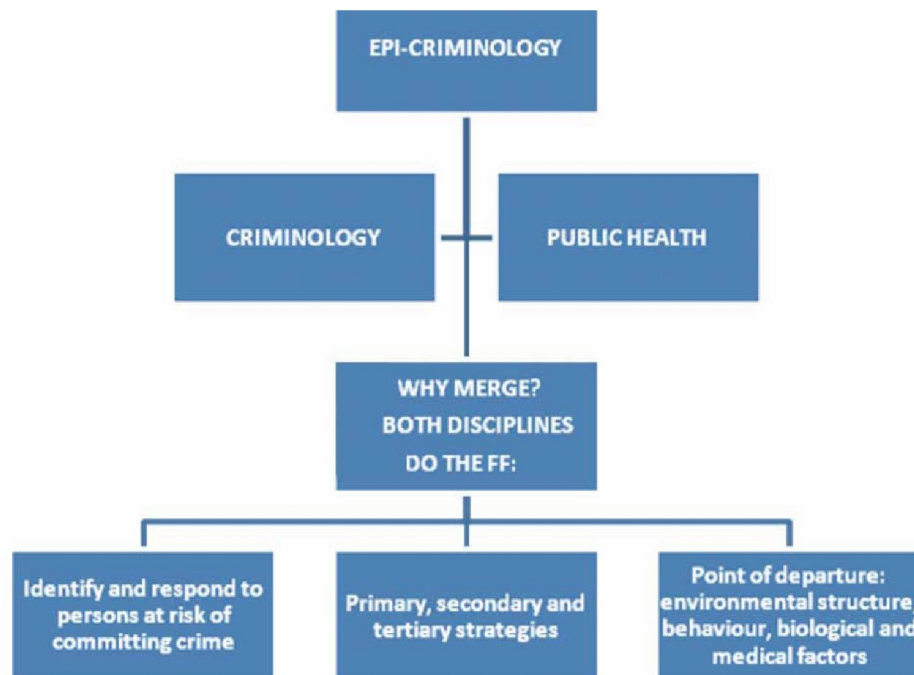


Figure 1. Rationale for merging public health and criminology to formulate epi-criminology.

Sources of information

This paper has been constructed from conference networking with practitioners working in the field of human trafficking as well as research articles covering the human trafficking of women and girls for involuntary prostitution. Newspaper reports, television documentaries, and radio broadcasts were also useful sources of information. Notable research reports, such as those by Martens (2003), Molo Songololo (2005), and Bermudez (2008), gave insightful information regarding the nature and extent of cross-border and non-cross-border human trafficking of women and girls for involuntary prostitution in South Africa.

Service organizations, criminal justice officials, and international organizations such as International Organization for Migration (IOM) and United Nations Office on Drugs and Crime (UNODC), and South African Catholic

Bishops Commission (SACBC) and National Prosecuting Authority (NPA) preventing, protecting victims, and prosecuting human trafficking of women and girls for involuntary prostitution were all consulted. Firstly, the University of Free State hosted a conference titled ‘Trafficking in human beings: national and international perspectives’ on 17 August 2009. Secondly, this conference was followed by ‘Stop the trafficking and sexual exploitation of women and girls’ organized by Masimanyane Women’s Support Centre, 25–26 March 2009. Thirdly, the United Nations Office on Drugs and Crime released its 2009 ‘Global Report on Trafficking in Persons’, which included the responses made by countries including South Africa to prevent, prosecute traffickers, and protect victims of human trafficking. Finally, the South African Professional Society on the Abuse of Children (SAPSAC) held a conference on child abuse titled ‘Towards multidisciplinary expertise in handling child abuse: A focus on trafficking’, 4–6 May 2009.

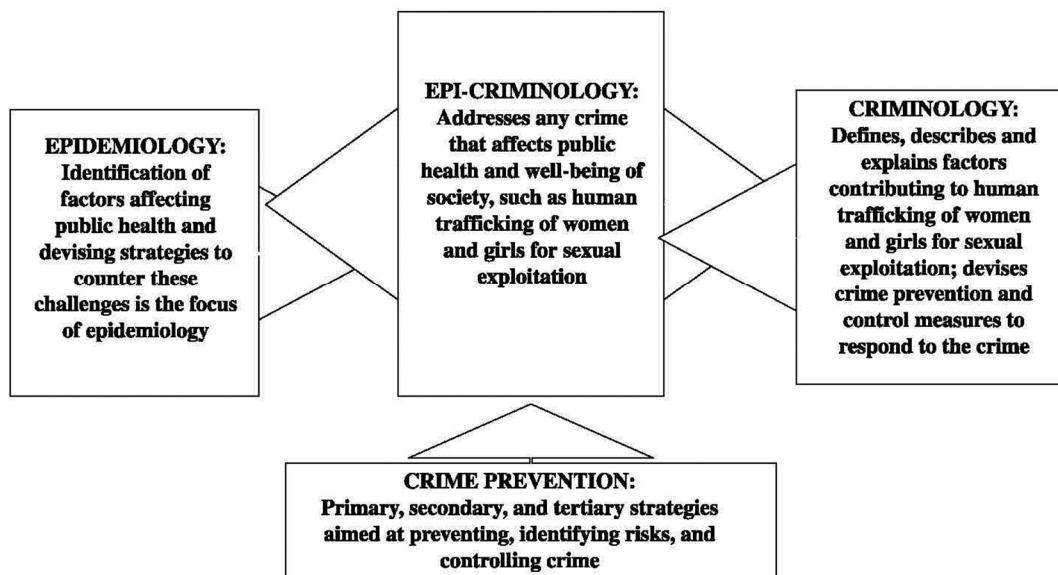


Figure 2. Theoretical framework of epi-criminology (adapted from Akers and Lanier 2009; Lutya and Lanier 2009; Lanier and Henry, 2010).

Theoretical framework

Epi-criminology is a theory derived from the works of Akers and Lanier (2009), as well as Lanier et al. (2010). The scholars have merged two disciplines namely public health and criminal justice (see Figures 1 and 2). Public health aims to devise strategies to prevent diseases infecting communities; criminal justice entails crime control practices, philosophies, and policies utilized by courts and police to respond to crime; and criminology defines, describes, and explains the nature and extent of crime (Lutya and Lanier 2009). The point of departure is that socio-economic, environmental, biological, and medical factors could be responsible for the occurrence of crime. Criminal justice responses such as imprisonment may worsen the situation by confining inmates within overcrowded conditions. Such conditions may generate the escalation of diseases such as HIV/Aids, as well as violent incidences such as gangsterism and sexual violence. Clearly, criminology is closely linked with criminal justice in the same way as epidemiology is related to public health (Lutya and Lanier 2009). An epidemiological approach consists of primary, secondary, and tertiary strategies to prevent dangerous situations affecting public health of citizens (British Medical Journal 2009). Essentially, epi-criminology refers to the studying of any crime that affects the public health and well-being of society such as human trafficking of women and girls for involuntary prostitution (Lutya and

Lanier 2009). Epi-criminology suggests that if crime is regarded as a public health matter, then it sounds logical to make use of strategies that combine public health, criminal justice, and crime prevention to reduce it (Akers and Lanier 2009). For the purpose of this paper, responses advised by epi-criminology such as public awareness, psycho-social support, and justice are analysed to describe the strides made by South Africa to respond to human trafficking of women and girls for involuntary prostitution.

To prevent human trafficking for involuntary sex work, the basic premise of epi-criminology is that public health and criminal justice should be utilized to provide an efficient response to victims. Young women and girls forced into prostitution are likely to experience physical, emotional, sexual and reproductive health, as well as financial violence (Dyanty and Pritz 2009; Muller and Holley 2009). Subsequent to the victimization process, many victims of trafficking may become addicted to substances such as drugs and alcohol, suffer from depression, anxiety, and suicide ideation, and might often be neglected and rejected by families and communities (South African Professional Society on the Abuse of Children (SAPSAC) 2009). Certainly, victims may seek justice for victimizations experienced. Epi-criminology is involved with the requirements of victims so much that it not only considers of significant importance health-related support, but takes cognizance of the victimization experience of the victim.

The rationale behind the construction of epi-criminology rests with the theoretical framework—concepts, variables, and contexts—within which crime occurs (see Figures 1 and 2). It is pointed out by Lutya and Lanier (2009), Ackers and Lanier (2009), as well as Lanier and Henry (2010), that public health and criminology disciplines share unique commonalities such as working with marginalized communities, identifying persons at risk of being affected by multiple dangers including health problems and drug abuse, and applying primary, secondary, and tertiary strategies to respond to crime. Public health factors, such a slack of sufficient nutrients to feed children, teenage pregnancies, lack of adequate housing, absolute and relative poverty, as well as substance abuse, are driving young persons to human traffickers in the hope that opportunities promised could yield financial incentives to provide for families. The trauma experienced during the period of working as an involuntary prostitute generates stresses that impact upon the public health system. Therefore, studying within the same theoretical framework, epi-criminology, human trafficking of young women and girls for involuntary prostitution may contribute to multidisciplinary researches to understand the crime.

Human trafficking for involuntary prostitution

The Palermo Protocol defines human trafficking to mean recruitment, transportation, transfer, harbouring, or receipt of persons by means of threat, force, fraud, abduction, abuse of power, or victim vulnerability, or giving or receiving payment for the control of another person for the purpose of exploitation. In this regard, exploitation refers to forcing someone to occupy employment or duty that has not been chosen individually. It could be prostitution, domestic work, or farm labour, and slavery-like conditions.

A distinction should be drawn between various ways in which human trafficking could occur. A young woman who voluntarily works as a prostitute and has a boyfriend who controls her earnings is a victim of commercial sexual exploitation. Whilst a young woman who is forced to work as a prostitute by any person including a family member or boy-friend or relative is a victim of human trafficking for involuntary prostitution. A group of girls who are taken out on an adventurous trip by a wealthy man and spoiled with clothes and entertainment and eventually forced to work as prostitutes could be victims of trafficking. The entertainer had intentionally planned to lure them into this activity through fraudulent means. Meanwhile the Palermo Protocol considers recruitment, transportation, harbouring, transfer, and receipt of a child to qualify as human trafficking despite the absence of threat, force, fraud, abduction, and abuse of power. That means that a family member who knowingly allows a child to travel to another location under false pretences could be guilty of the crime of trafficking in human beings. Human trafficking also occurs if a parent exchanges a child for cash to alleviate poverty or dire socio-economic circumstances.

Distinguishing between various forms in which human trafficking for involuntary prostitution may happen is useful for the identification of prostitutes who could be working as sex workers involuntarily. Currently it is difficult to identify which girls are forced into the job and which ones have voluntarily joined the industry. Prior to the attendance of the Stockholm Criminology Symposium I drove around Pretoria with the South African Police Service

officers in the evening during their stop-and-search operations. I interviewed a number of prostitutes regarding the factors that brought them into prostitution. Half of the girls I spoke to were working under the supervision of a 'pimp' whilst a small fraction were working individually. One girl was being monitored and supervised by a boyfriend; five girls, one of whom had a broken arm, were working under the supervision of a 'pimp'. Some of the girls were working whilst under the influence of drugs. I asked them if someone was in charge of their earnings, and some were willing to admit to this fact whereas others vehemently denied it even though there were men following and constantly reminding them of their responsibilities. One girl said some pimps do sell girls to other pimps in exchange for cash. The selling of girls, taking away of earnings, and control of movements amount to human trafficking even though the girls had voluntarily selected the work as prostitutes.

Subsequently, I asked each girl I spoke to whether they were aware of human trafficking for sexual exploitation, and they said yes. However, they refrained from defining their working context as human trafficking for sexual exploitation. For the girls, the fact that they are there voluntarily does not amount to the crime. This contradictory manner in which human trafficking for sexual exploitation is viewed by victims and traffickers alike needs further empirical research. It resonates with sentiments often expressed by most victims of rape. Although the denial expressed by rape victims has been widely researched, a gap exists regarding the context of sexual exploitation of trafficked women as well as the concept of human trafficking and various ways in which young women and girls could be entangled. Without clarification of the concept, South African human trafficking prevention and prosecution efforts could be compromised.

Human trafficking: a public health crime The violence, trauma, working conditions, limited opportunities for advancement, and mental health consequences incurred by victims during the occurrence of this crime render the crime a public health matter. It is pointed out by Martens (2003), Fick (2005), Fick (2006), and Gould and Fick (2008) that victims trafficked for involuntary prostitution experience sexual violence at the hands of traffickers and clients alike. Human traffickers are likely to 'test-drive' newly acquired girls prior to getting them working as prostitutes (Spies 2008:2). Test-driving entails a practice of raping young girls by human traffickers at either the location of origin, during transit, or at the destination as a way of preparing them for the work of prostitution. At times victims could be raped, beaten, strangled, and deprived of food as punishment for contravening the rules of traffickers (Gould and Fick 2008). In addition, the working conditions of victims of human trafficking have been found to be unhygienic (Gould 2008:38). Drugs and alcohol have also been found in residences raided by the SAPS officers (Spies 2008). It is reported by Muller and Holley (2009) as well as by Le Roux (2009) that victims of human trafficking experience psychological trauma that manifests as behavioural, cognitive, and emotional problems such as substance abuse, suicide ideation, depression, sleeplessness, and anxiety. If problems are left unresolved the victims could displace their anger by recruiting other girls into prostitution, which may continue the cycle of trauma and involuntary prostitution.

Criminological and public health factors giving rise to human trafficking

Criminological challenges Crime affects the South African public to a great extent. It is not an exaggerated sentiment to say that South Africa has a culture of violence. It is pointed out by the South African Police Services (2008) that violent crime in South Africa occurs between people who know each other well, reside or revel in the same place, and may be under the influence of alcohol. During such interpersonal contacts, altercations occur which could result in assaults and murder. Indeed, the use of violence as a normalized manner in which a fraction of citizens achieve goals, solve conflict, and defend themselves is a common occurrence in South Africa (Bruce et al. 2007). Essentially, violent crime has become an expected outcome of the violent culture. Porous borders, an ineffective criminal justice system, revenge violence, and vicarious victimization are some of the crimes affecting the general well-being of South African citizens (Rauch 2003). However, crimes that seem to give rise to human trafficking for involuntary prostitution are gender violence, child abuse, porous borders, and ineffective criminal justice in dealing with gender violence cases (Molo Songololo 2005; Bermudez 2008). Although South African Police Service crime statistics illustrate a decrease in the latest publication, vicarious victimization, fear of crime, and revenge violence appear to be everyday expressions. In the period 2007/2008 the SAPS recorded 4,106 cases of

child abuse, 198,049 common assaults, as well as 36,190 rape cases (South African Police Service 2008). The police statistics do not take cognizance of unreported crimes, which could prove these crimes to be occurring more frequently than the numbers suggest.

As illustrated above by the SAPS (South African Police Service 2008), interpersonal violent crimes such as rape and intimate partner violence are increasing. Worrisome is that interpersonal violent crime occurs within a private space which is least likely to be surveilled by the criminal justice authorities. A recent survey conducted by Jewkes et al. (2009) has revealed that 1 in 4 men or 46% of 1,738 male respondents, from all socio-economic backgrounds interviewed, have raped or sexually assaulted a female partner, stranger, or acquaintance. According to a woman's organization called People Opposing Women Abuse (2007) 1 in 4 women are experiencing some kind of violence within an intimate relationship; every 26 seconds a woman is raped in South Africa. Research by Jewkes et al. (2006) revealed that men who rape non-partners were more likely to have experienced adverse childhoods but come from higher socio-economic backgrounds with educated mothers and a greater likelihood of earning an income. Intimate femicide occurs every six hours, or four women are killed by intimate partners every day in South Africa (Mathews et al. 2004). Most perpetrators of intimate femicide are between the ages of 20 and 39; African (black) or mixed race (coloured); unemployed, blue-collar, or working as security guards; and are co-habiting, boyfriends, or husbands (Mathews et al. 2004). It is pointed out by Sigsworth (2008) as well as Vetten et al. (2008) that only 5% of adult crimes of sexual violence and 9% child rapes received convictions in 2000. Nevertheless, generally it is a known fact that, in South Africa, 68% of sexual violence cases reported to the police do not make it to court (Sigsworth 2008).

Furthermore, the manner in which the criminal justice system responds to cases of gender violence does not bode well for the victims of human trafficking for involuntary prostitution. The clandestine nature with which human trafficking for involuntary prostitution occurs could create difficulties for victims when trying to prove their innocence in a court of law. Moreover, if the crime has been initiated by a family member, close associates, or any other person known to the victim, evidence of victimization could prove doubtful. The attitudes expressed by South African citizens towards prostitution do not make the situation of victims easy either. It is pointed out by Fick (2006) that prostitutes generally feel stigmatized by the experiences of isolation and violence, the working conditions, and police and social attitudes expressed towards them. Proving innocence to a court could be difficult. Nevertheless, South African criminal justice officials are aware of victims' oriented intricacies and understand the complicated situation within which human trafficking victims find themselves. However, the low rates of convictions imposed on sexual violence cases do not demonstrate seriousness towards sexual violence victims. The criminal justice responses to gender violence, social and legal attitudes towards prostitution, and the stigmatizing nature of prostitution may contribute to more trafficking victims keeping quiet and creating further risks of being trafficked.

With 100% of all reported cases to Childline² involving a form of abuse, it appears that child abuse could be prevalent in most South African homes. It is pointed out by civil society that sexual abuse—a factor driving girls to prostitution (Kelly 2005)—is the most rampant form of child abuse prevalent in most South African homes (Community Agency for Social Enquiry (CASE) 2005:ii). Although other forms of sexual abuse could be detected, the most common form of sexual abuse is often perpetrated by a father or stepfather towards a daughter or stepdaughter. According to Dawes et al. (2006) 87% of sexual abuse victims are female. Children that are likely to be affected by sexual abuse are residing at home, on the streets, as well as trafficked children (CASE 2005: iii; Dawes et al. 2006). It is pointed out by CASE (2005) that children also experience sexual abuse within institutions, namely orphanages, correctional institutions, reform schools, as well as educational institutions. The nature of the relationship between the victims and the perpetrator may persuade victims of child sexual abuse not to report the crime to the criminal justice authority (Dawes et al. 2006). Moreover, the position of power occupied by the

² Childline is a national organization providing services to abused, neglected, abandoned, dislocated as well as foster and adopted children. Recently, it has been instrumental in ensuring that relevant policies are formulated and implemented to prevent human trafficking and protect children from becoming victims of the crime.

perpetrator towards the victim could seem threatening to the victim. Parents, school-teachers, gang members, and community members have been alleged to have committed the crime. A link exists between interpersonal violent crimes and human trafficking of young women and girls for involuntary prostitution. Children exposed to domestic violence and child abuse are likely to either run away from home or partake in deviant behaviours that could drive them to human traffickers (Farrington 2003; Utting 2006). As a form of mediating depressive conditions at home, they might be likely to use substances such as alcohol and drugs (Pithey and Morojele 2002). In addition, evidence exists to suggest that victims of human traffickers are likely to have been sexually abused as children. According to Kelly (2005) a fraction of human trafficking victims sheltered by the Poppy Project in the United Kingdom witnessed inter-parental violence and were victims of interpersonal violence such as sexual abuse, as well as intimate partner violence prior to victimization. The feelings of worthlessness, loss of dignity, and helplessness experienced by victims of sexual abuse may have driven them into the streets as prostitutes or to accept escape routes from human traffickers.

Public health challenges Deaths and diseases, teenage pregnancies, nutritional deficiencies, substance abuse, unemployment and poverty, as well as overcrowded environments are some of the public health challenges experienced by South Africans.

Firstly, the Human Sciences Research Council (HSRC) (2009) has revealed that 1 out of 11 South Africans are HIV-positive. The highest rate of infection is found among the 25–35-year-old group. It appears that a correlation exists between substance abuse, risky sexual behaviour such as multiple partners, unprotected sex, as well as inter-generational sex (transactional sex). The report indicates that new and current infections are higher among females than males of all age groups (HSRC 2009). Although the figures are unknown, opportunistic diseases such as tuberculosis kill HIV/Aids-infected persons daily. When a parent dies, he/she leaves behind a household with children who may not care for themselves adequately.

Secondly, the Department of Education reports that about 72,000 girls aged between 13 and 19 left school early due to pregnancies (Govender 2007). Early school leaving limits the chances of earning an education that could give opportunities to compete in the labour market economy. This potential shortfall may create a specific group of young women and girls with no jobs and with children to support financially.

Thirdly, substance abuse—alcohol and drugs—is rife in South African communities and schools alike. According to Burton (2008) learners access intoxicating substances either at school, in the community, or in their homes. In this research report, a large contingent of learners personally knew someone who had come to school high on drugs or drunk with alcohol. In addition, substance abuse has been cited by Martens (2003), Molo Songololo (2005), Fick (2006), and Bermudez (2008) as a factor that creates opportunities for commercial and involuntary prostitution of young women and girls.

Fourthly, certain young women and girls had become prostitutes as a means to pay a drug dealer for drug-incurred debt (Gould and Fick 2007, 2008).

The fifth point is illustrated in the Statistics South Africa (2009), which reports that unemployment affects approximately 19% of the South African population, a decrease from the 2006 assessment of 30%. However, according to Statistics South Africa (2009), it is the number of persons searching for employment that has decreased. Regardless of the efforts to find employment, this group of people, which includes young women, still survive without an income. In the absence of a reasonable income, alternative shelter could be informal settlements where they will not pay for general services. With limited employment opportunities and no income to buy nutritional food to feed families, the young women and girls growing up in these homes could become easy targets for human traffickers.

A linear progression of epi-criminological vulnerabilities that give rise to human trafficking of young women and girls for involuntary prostitution can be observed among vulnerable groups in South Africa. It appears that the home

and family situations of potential victims could be dysfunctional. In such homes young girls could be sexually abused. In turn they may use substances in order to relieve the trauma of sexual abuse. Family dysfunction, teenage pregnancies, and traumatic experiences could influence them to leave school. It is obvious that young women and girls who exit school early will need financial resources to feed their families. With no jobs and income, they often become vulnerable to human traffickers. In addition, civil society organizations report that in areas riddled with unemployment and poverty, parents often look away if their children bring home stolen goods, kill to put food on the table, sell their bodies for money, or get involved with 'sugar daddies' or older men in exchange for money. Human traffickers often use this situation to lure young women and girls into human trafficking for involuntary prostitution. How does South Africa respond to human trafficking of women and girls for involuntary prostitution? First, it is important to get a brief overview of human trafficking for involuntary prostitution in South Africa.

Overview of human trafficking in South Africa

The number of trafficked victims remains unknown in South Africa. Service organizations compile statistics by counting the number of victims seeking assistance and provided services. Cross-border and non-cross-border forms of human trafficking are prevalent in South Africa. Reviewed literature reveals that young women and girls are trafficked from Asian, European, and African countries as well as Russia to South Africa for all sorts of purposes (Martens 2003; Molo Songololo 2005). Victims of internal trafficking are likely to be recruited from the poorest provinces of South Africa such as Eastern Cape and Kwa-Zulu Natal to work in the richest areas namely Gauteng and the Western Cape (Bermudez 2008). For the purposes of involuntary prostitution, at risk of being trafficked are prostitutes, street children, drug-afflicted prostitutes, and young women and girls. Family members, friends, relatives, neighbours, employment agencies, drug dealers, taxi drivers, and organized crime gangs have been reported to have recruited young women and girls for involuntary prostitution in South Africa (Martens 2003; Molo Songololo 2005; Bermudez 2008). Victims' vulnerabilities such as socio-economic, domestic, socio-structural, and individual contexts are often used to lure victims forcefully and voluntarily to the industry. During the recruitment process victims could be occupying underpaid jobs, unemployed, and out of school or working as street prostitutes. The uncertainty of current jobs as well as future careers leave them little room to turn down offered positions. There are young girls and women experiencing the same calamities who are not contemplating accepting offers from traffickers. Regardless, human trafficking for involuntary prostitution does not leave the victim unscathed.

Human trafficking for involuntary prostitution exposes young women and girls to a variety of negative public health and victimization experiences. According to Zimmerman et al. (2003) as well as Muller and Holley (2009), forced or coerced use of drugs and alcohol, sexual, emotional, and physical violence, as well as unhygienic working conditions are some of the experiences that could yield health-related negative consequences for the victims of human trafficking for involuntary prostitution. Second-wave trafficking, which entails two processes, could occur as a result of the trauma experienced from involuntary prostitution. Firstly, former trafficked victims could recruit for trafficking purposes other women for involuntary prostitution. Secondly, formerly trafficked women could become victims of other forms of trafficking. According to Lackzo and Gramenga as quoted in Gould (2006) 8% of trafficked victims have been trafficked before. Muller and Holley (2009) are of the opinion that when their experiences are left unresolved trafficked women and girls have limited chances of surviving above the age of 25; they are likely to either die from drug addiction or commit suicide. The immensity of the first experience of trauma leaves an indelible picture to the victim, which could affect her ability to seek psychological, legal, and social assistance (Zimmerman et al. 2003). Often victims of crimes in general experience feelings of guilt, which makes them question their ability to protect and defend themselves. The situation of human trafficking victims could be worsened by the fact that they had accepted jobs that turned out to be false and traumatizing.

To summarize, the culture of violence contributes to the criminological factors affecting the general wellness of human beings in South Africa. Revenge violence, mistrust, crime, victimization of children, and violence as a popular form of entertainment dominate the public space. Thus, the cycle of violence continues unabated. It is within this culture of violence that human trafficking for involuntary prostitution thrives. It occurs within a cultural context that accepts the use of mentally under-developed persons such as children to work as sex slaves. The

attitudes towards prostitution, the culture of violence, and community mistrust as well as victims' perceptions of the human trafficking experience could make public health approaches to crime difficult to implement unless public health is combined with criminology or criminal justice responses. Regardless of the public health resources to combat health-related challenges in South Africa, human trafficking has no budget, because it is not a crime yet. In the absence of a budget, victims of human trafficking may not have access to services needed to resolve the trauma experienced during human trafficking.

Epi-criminological responses

South Africa adheres to the United Nations (UN) Protocol procedures regarding the deportation of trafficked victims to countries of origin. The UN Protocol (UN 2002) stipulates that signatories to the protocol should conduct research, make use of mass media, raise awareness, share information, alleviate factors giving rise to human trafficking, as well as formulate legislations to prevent human trafficking, protect victims, and prosecute human traffickers. Strides have been made by South Africa in the area of prevention, protection, and prosecution to respond to the crime. The responses correlate with epi-criminological theory which suggests a multidisciplinary approach in response to criminal and offending behaviour. However, South Africa faces specific challenges pertaining to the manner in which it is responding to the crime. Co-ordination of services to victims, rehabilitation of human traffickers, networking, and a concrete legislation are some of the challenges South Africa is currently confronting.

Prevention

Awareness workshops at schools, communities, churches, media (newspapers and television) research by universities, non-governmental organizations (NGOs) and research institutions, conferences, seminars and workshops, as well as speeches by state officials are preventative measures employed by the state and non-governmental institutions in response to human trafficking for involuntary prostitution. The prevention is conducted through programmes aimed at educating and alerting potential victims about human trafficking for involuntary prostitution. Risk factors such as substance abuse, domestic violence, socio-economic factors, parental support as well as sex working are themes covered in awareness programmes conducted in South Africa. Public health approaches aimed at reducing alcohol intake are targeted at educating the agent (owner of the alcohol outlet), the host (consumer of alcohol), and the environment (place in which alcohol is sold) (Parry and Dewing 2004:46). These programmes are in general not specifically targeted at potential victims of human trafficking but at the whole population of South Africa. Evaluation of these programmes is needed in order to ascertain the effectiveness in the prevention of human trafficking for involuntary prostitution.

Protection

Victims of human trafficking for involuntary prostitution are provided psychological, intellectual, financial, physical, and immigration services. According to Molo Songololo (2005), Kreston (2007), as well as IOM (2009), once identified and brought to the attention of criminal justice or social development authorities victims are sent to shelters for abused, dislocated, and displaced children and women. Psycho-social support in the form of counselling and therapeutic services is immediately provided in preparation for reintegration. While the victims are receiving support in South Africa, investigations are conducted to ascertain the level of risks to which they could be exposed once they have returned home. Meanwhile, in the country of destination, criminal justice authorities could be investigating the human traffickers involved in the victim's case hoping to arrest, prosecute, and convict the suspects. Knowledge dissemination is another mechanism of providing protection for the victims. Research data, networking, and sharing of resources and best practices ensure that practitioners are equipped intellectually with the functional activities of human traffickers and victim protection services. It is pointed out by Kreston (2007) as well as IOM (2009) that although they may find it difficult to identify victims of human trafficking amongst the deported foreign citizens, South Africa encourages the immigration officials to do so in order to co-ordinate national victim

procedures for victim protection. Victims of human trafficking especially for involuntary prostitution may need support more so than other ordinary illegal foreign citizens. The embarrassment of returning to the country of origin emotionally and financially bankrupt, the humiliating experience at the hand of the traffickers and clients, and the prospective rejection from community and family members could be more troubling for victims.

Prosecution

As stated elsewhere in this paper, in the absence of human trafficking law, partial sections of existing legislations are utilized to prosecute persons caught performing activities related to human trafficking. The Criminal Law (Sexual Offences Act 32 of 2007) Amendment Act, the Immigration Act (13 of 2002), the Prevention of Organized Crime Act (121 of 1998), and the Children's Act (38 of 2005) as well as the Sexual Offences Act (23 of 1957) are used to prosecute human trafficking activities such as racketeering, keeping a brothel, transporting foreign nationals, abusing vulnerability of children, facilitating prostitution as well as generating income through criminal proceeds. Currently eight persons are appearing at the Durban High Court for allegedly performing racketeering, facilitating prostitution, transporting and employing illegal foreign citizens, as well as keeping a brothel. According to the charge sheet, a Thai female recruited, transported, and debt-bonded seven Thai female prostitutes and brought them into South Africa to voluntarily work as prostitutes. On arrival in South Africa, the seven Thai females were bonded into a debt of R60,000.00 each. Once the payment was made they were allowed to continue working as prostitutes under the supervision of the brothel managers but could take a substantial amount from the earnings given by clients. The state is currently prosecuting the trafficked females for knowingly benefiting from criminal proceeds and entering and working in the country illegally. The Thai recruiter and a South African male are facing charges of racketeering (Prevention of Organized Crime Act 121 of 1998: Sections 20–21), contravention of immigration principles (Immigration Act 13 of 2002: Sections 16–19), keeping a brothel, as well as facilitating prostitution (Sexual Offences Act 23 of 1957: Sections 3–15).

In addition to the above-stated legislation, South Africa makes use of municipal by-laws for the crime of loitering, by prohibiting any person from causing distraction of street users by walking, running, standing, sitting, or lying in a way that generates inconvenience to other road users (Fick 2006). Other activities performed by sex workers and prosecuted under the Municipal By-Law Act include: trade, performing a sexual activity, and nudity. According to Gould and Fick (2007) when caught performing the activities listed above, prostitutes are rarely charged and prosecuted. The usefulness of the Municipal By-Law Act is difficult to determine. The SAPS officials consistently contend that South Africa has more serious violent cases upon which to concentrate other than the mere case of a prostitute who could be seeking to generate income out of selling her body. If the Act could be used as stated, it might become a measure to ensure that young women and girls forced into prostitution are identified and rescued from the human traffickers.

Challenges for South Africa Various organizations exist instrumentally preventing human trafficking for involuntary prostitution in South Africa. Capacity-building workshops, shelters, awareness programmes, as well as partial prosecutions appear to be the methods common to reduce human trafficking for involuntary prostitution. In spite of limited resources and absence of legislation, when found, victims are assisted immediately. However, the understanding of the concept and the context of human trafficking for involuntary prostitution, co-ordination of services, networking, human trafficking legislation, legalization of prostitution as well as youth lifestyles are current challenges facing South Africa in her efforts to reduce and respond adequately to human trafficking for all purposes.

Cultural practices rooted in social norms and values such as child placement have created opportunities for human traffickers to recruit, for purposes of exploitation, financially struggling relatives or neighbours. Historically, families could move children of relatives from rural areas to urban areas in order to access employment or educational advancements. Currently, such relatives might be doing so for the purpose of forced prostitution. In this context, it becomes difficult to define the trauma experienced at the hands of family members of human trafficking for involuntary prostitution especially in families where sexual abuse could be shrouded in secrecy. As commendable as the awareness programmes are, it appears that families require an individualized form of educational approach to understand human trafficking. Parenting programmes aimed at educating, supporting, and

empowering families about the concept and context of human trafficking for involuntary prostitution as well as the risk factors giving rise to the crime are needed to fill this knowledge gap. Cultural practices and other taken-for-granted everyday lifestyles should form part of the content of parenting programmes.

The International Organization for Migration is currently expanding its network of organizations rendering services to victims of human trafficking. This information is disseminated widely at conferences and to persons who are knowledgeable about the crime and its context. However, this crucial information remains elusive to persons unfamiliar with the concept and context but could be at risk of being trafficked. According to the Masimanyane Women's Support Centre (2009) traditional practices giving rise to human trafficking are common in rural areas and townships which are least likely to receive information on the crime. Despite the awareness programmes at township schools, risk factors could still situate young women and girls in human trafficking for involuntary prostitution.

Socio-economic challenges such as poverty, unemployment, and relative deprivation are epidemic challenges that make potential victims easy prey to human traffickers. Poverty alleviation programmes such as the school feeding scheme, government grants, and numerous charities facilitated by non-governmental organizations support families in need. Unemployed citizens are not catered for in this regard. An offer from a trafficker could seem to be a relief from unemployment despite the potential victim's knowledge of the crime. With the economic inequalities ever widening in South Africa, relative deprivation could lead some young women and girls to human traffickers for involuntary prostitution. For instance the prostitutes to whom I spoke in preparation for the Swedish Conference said that they rationally opted for prostitution because sex work pays better than an office job.

The legal position on prostitution opens chances from human traffickers to recruit, confine, and exploit prostitutes. Prostitution remains illegal in South Africa (SALRC 2009). Violence towards prostitutes from clients and the public is prevalent (Gould and Fick 2008). When seeking justice, prostitutes could encounter negative attitudes from the police officers (Fick, 2006; Gould and Fick 2007). The situation could be worse for a prostitute who has been forced to perform this duty. She could be working under the supervision of an abusive pimp. With prostitution shrouded in secrecy, not considered as work, it could be difficult for victims of human trafficking for forced prostitution to report injustices experienced whilst performing a duty perceived as non-work (Fick 2006). Nevertheless, the South African Law Reform Commission is currently facilitating public hearings deliberating between total criminalization, partial criminalization, non-criminalization, as well as regulation of prostitution. A consistent position on prostitution will assist victims of human trafficking to report victimization by human traffickers unreservedly.

It appears that some victims choose not to identify and report human traffickers to the criminal justice authorities even though they could be assisted legally to do so. Although she could identify her traffickers, Elsie preferred to remain silent and receive psycho-social support instead. According to Muller and Holley (2009) the fear of human traffickers as well as the traumatic experiences encountered during the human trafficking process could prevent victims from reporting the crime. This means that, despite the level of preparedness of South Africa to assist victims of human trafficking, such resources cannot be dispensed until victims come forward to report traffickers and seek assistance from service organizations.

In the absence of concrete legislation to prosecute human trafficking, justice for victims is delivered incomplete. The Children's Act (38 of 2005) remains non-promulgated, the Criminal Law (Sexual Offences Act 32 of 2007) as Amended as well as the Sexual Offences Act (23 of 1957) are currently used for prosecuting sexual offences even though there is a section in Act 32 reserved solely for human trafficking, and the Organized Crime Act (121 of 1998) is concerned with the economic offences. In cases where victims' evidence of other activities cannot be found, victims partially receive justice. It is unknown whether the Thai women were working as prostitutes before they were brought into South Africa. Human traffickers are known to still hold control of victims despite the court appearances. Therefore, with legislation, the crime of human trafficking will be prosecuted holistically.

A variety of intricacies are observed in the conceptualization of the activities with which the assailants are charged when reading the case quoted above and noticing the manner in which the South African legal system has responded. It appears that victims of human trafficking are also prosecuted which could leave other victims of human trafficking in a quandary. Firstly, it is not possible to categorize these activities as human trafficking for the reason that the legislations utilized to prosecute the crimes are not related to human trafficking. Consequently, for

research, crime prevention, and control intentions, it is not possible to plan, allocate resources, and determine the extent of the problem. Secondly, the prosecution of the Thai trafficked prostitutes gives an impression that the state does not consider them as victims of illegal immigration. The mere fact that they knew of the illegal transportation to a foreign country for prostitution work as well as receiving prostitution earnings is enough to warrant prosecution despite the debt-bondage in which they were entangled on arrival in South Africa. In essence, the public health, criminal justice, and crime prevention implications for the state response to this case require careful examination.

If the South African response to trafficked females who knowingly accept offers, transportation, accommodation, and employment from traffickers becomes a trend, victims may become reluctant to report victimization to the criminal justice authorities. That leaves a large contingent of mentally, psychologically, physically, financially, and sexually abused victims untreated. Such victims could become part of the problem by recruiting other females to repeat the cycle of violence. Epi-criminology advises that victims should be treated comprehensively to avoid repeating the cycle of victimization. Meanwhile, partial prosecution and conviction of human traffickers as offenders of other crimes means that any form of rehabilitation they receive does not treat the offending behaviour for which they were arrested.

Adolescent risky behaviours, giving rise to human trafficking, continue to escalate. Youth Risk Behaviour (Reddy et al. 2003), the HIV/Aids survey by the HSRC (2009), as well as the CJCP (2006) Youth Victimization survey indicate that young South Africans experiment with drugs, engage in risky sexual behaviours, and could be at risk of becoming victims of crime. The worrisome situation is that human traffickers are likely to recruit young women and girls whilst under the influence of intoxicants. It appears that the message is either ignored or not processed adequately by adolescents.

Conclusion

This paper has provided a scholarly synthesis of epi-criminological responses to human trafficking of young women and girls for involuntary prostitution in South Africa. It is revealed in this paper that despite criminological and public health challenges facing South Africa, admirable strides have been made to respond adequately to human trafficking of women and girls for involuntary prostitution. Considerable scholarly research work on human trafficking data has been produced in this country. This research work continues to inform the government and non-governmental responses to the crime. For a public health approach to become relevant to the current responses, South Africa needs an accurate number of victims as well as of human traffickers. Resources could be adequately allocated, once the Human Trafficking Bill has become an Act.

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THOZAMA MANDISA LUTYA

Social Work and Criminology Department

University Of Pretoria

Humanities Building 10–29

Pretoria

SOUTH AFRICA

Tel: þ 27-12 420 5906

Fax: þ 27-12 420 2093

Email: Thozama.Lutya@up.ac.za