

Good Practice, Stories of Change and Impact Study

JULY 9

GORANBOSE GRAM BIKASH KENDRA
TAFTEESH



Introduction

Mental Health, Self Help Group & Victim Compensation – 3 Pillars of Community Based Rehabilitation

Rehabilitation of survivors of trafficking and sexual exploitation is essentially composed of the 4 'R's – RECOVERY, which includes mental and physical health treatment and support, REINTEGRATION into the community and linkages to government schemes and services, REPARATION, which includes the vital aspect of Victim Compensation, and RETRIBUTION, the journey to justice including punishment of the trafficker.

Community Based Rehabilitation or CBR is the only form of rehabilitation system of trafficked survivors through which these 4 'R's of Recovery, Reintegration, Reparation and Retribution are acknowledged and implemented.

Institutional Rehabilitation, or shelter homes, often fail to provide the essential services which can truly rehabilitate a survivor.

Mental Health Treatment which are required for overcoming trauma, that the survivor has suffered from, is not at their disposal at shelter homes. Most often, shelter homes result in added trauma to the survivors it gives them a feeling of bondage which they experienced previously at the brothels. Mental Health treatment under CBR gives them access to counsellors and free psychiatric treatment, alongwith medicines when required, to recover from the various mental health issues survivors often go through as a result of the trafficking experience.

Survivors have stated that they are often forcibly locked up in shelter homes without their consent, which is a violation of their rights. They do not have a choice on the kind of vocational training they are given, which are often rendered useless to them after their return to community. They are also not able to engage in a livelihood opportunity for themselves while living in shelter homes. **Survivor Led Self Help Group (SHG)**, an important component of CBR, supports the survivors in reintegration into mainstream society by helping them in receiving loans for establishing businesses and other livelihood

opportunities through SHG membership. Additionally, they receive adequate training to enhance their skills in their respective professions and thereby achieve financial stability. This further prevents them from being re-trafficked as poverty is one of the main reasons behind trafficking.

Victim Compensation (VC) can be accessed by trafficked survivors through a legal process. The awareness of applying for VC and receiving a compensation amount is generated primarily within the CBR structure. The support given to survivors by social workers in the community to follow the legal procedure and receive VC is denied to survivors in institutional rehabilitation. Most of them are not even aware that such a process exists and they are entitled to receiving VC as a result of the violations of their human rights.

The CBR model has supported the survivors of South 24 Parganas, West Bengal, in acquiring these rights to health, livelihood and justice by incorporating the 3 elements –

- **Mental Health Treatment**
- **Survivor led Self Help Group (SHG)**
- **Victim Compensation**

into the model.

Goranbose Gram Bikash Kendra (GGBK) and its partnering organisations have implemented very specific, strategic interventions in these areas which have given rise to changes at the systemic level. GGBK has institutionalised these interventions within the organisation through its various initiatives and resource mobilisations.

Tafteesh is a platform for anti-trafficking stakeholders including activists, lawyers, researchers, psychologists, social workers and survivors of trafficking. GGBK is a part of Tafteesh from its very inception, thriving for law, policies and good practices building for justice and leadership of survivors in the anti-trafficking ecosystem.

The survivors have worked relentlessly in their journey towards justice and enhancing leadership capacities through the Tafteesh and Survivors Leadership Program (SLP). There have been a great many stories of systemic change, good practices and learning as a result of these endeavours. This report aims to narrate these stories of change and learning and the impact they have had on the lives of the survivors.

Mental Health Treatment & Support

A Key Aspect of Rehabilitation for Survivors of Human Trafficking

Survivors of human trafficking suffer from depression, anxiety, dysthymia, post-traumatic stress disorder (PTSD) due to the intense trauma they have undergone. Post rescue, survivors face an array of issues battling community stigma and social ostracization, making them even more susceptible to violence and abuse.

Unfortunately, the shelter homes which are provided to survivors by the State as means of rehabilitation under the Immoral Trafficking Prevention Act (ITPA), do not offer any psychiatric or psychological evaluation. Survivors remain in shelter homes for years with all their symptoms undiagnosed and untreated. With underlying mental health issues, a survivor will not be able to make the best use of the rehabilitation support provided to her.

Human trafficking survivor collectives in West Bengal like Bandhanmukti, Bijoyini and Utthan have been demanding mental health treatment and support as a key component in the community-based rehabilitation process.

GGBK'S REFLECTION & SURVIVORS' JOURNEY IN RECEIVING MENTAL HEALTH SUPPORT

The advocacy for Mental Health Support and Treatment began after a certain incident occurred –

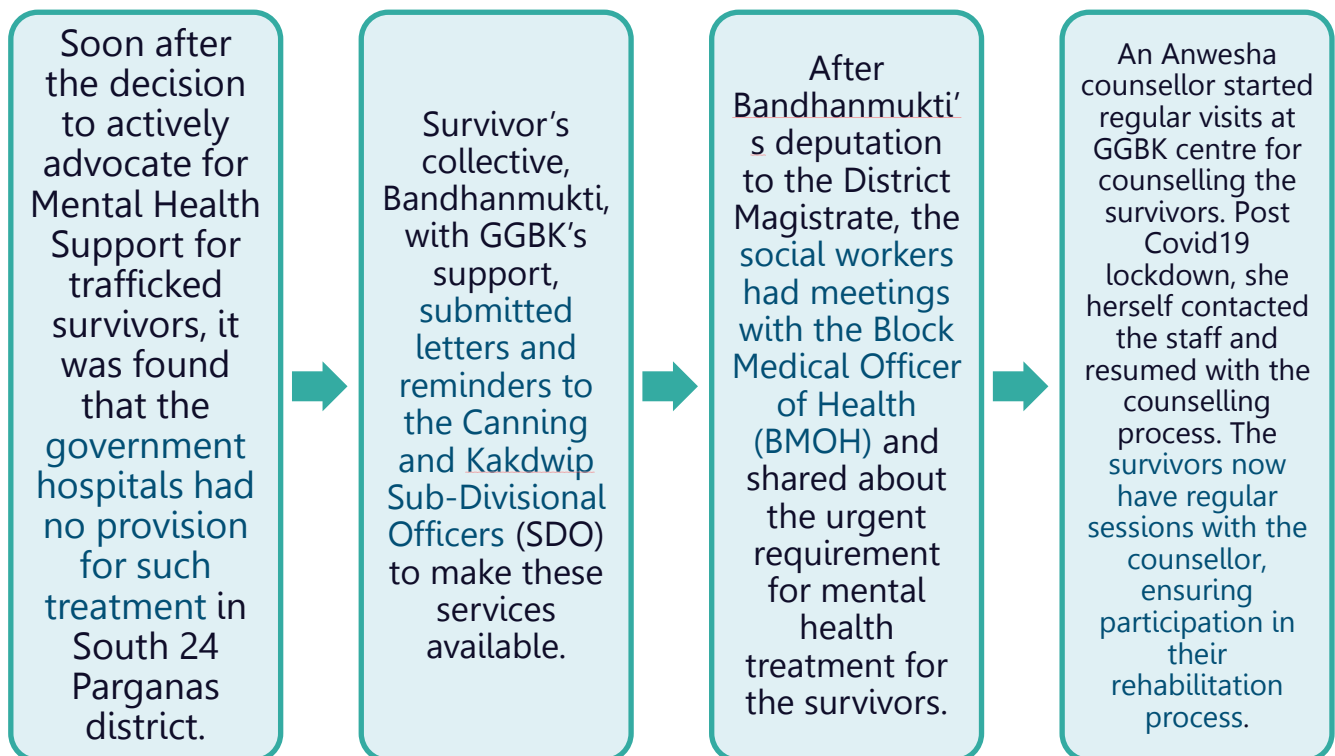
a trafficked survivor after having returned home and working with GGBK for rehabilitation support, died by suicide after a domestic discord with her husband. He claimed his own life too. Their children were left orphaned.

It was a lesson from this lived experience that survivors are in dire need of treatment from the trauma they experience during their time away. They are victims of abuse from the time they are trafficked till after their rescue and during months spent at the shelter home institutions. Hence, the underlying symptoms of trauma, stress, depression in survivors cannot go untreated.

GGBK staff and members conducted advanced study on mental health and carried out primary counselling for the survivors. They soon realised that certain symptoms and their diseases caused by trauma, abuse and violence were so deep-seated that it required medical attention.

The survivors and social workers of GGBK alongwith their networking partners and stakeholders coordinated, collaborated and advocated for the importance of **psychological counselling and psychiatric medicine as inseparable constituents in the rehabilitation process of trafficked survivors.**

MAKING A DORMANT SYSTEM FUNCTIONAL AT THE STATE, DISTRICT AND BLOCK LEVEL



This process is an example of **sustainability**, ensuring accountability of the stakeholders.

MAKING A DORMANT SYSTEM FUNCTIONAL AT THE COMMUNITY LEVEL

There are 2 levels of intervention at the community level –

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- a. **With the family of the survivor** – Family’s support, engagement and understanding of mental health issues of the survivor is crucial for her recovery and rehabilitation.

CASE STUDY

A 12-year-old girl after being trafficked, was prone to self-harm as a part of the trauma response that she was going through. She was forced to remain in prostitution for 5 years and was rescued at the age of 17, when she was still a minor.

After returning to community, she suffered from a split personality disorder. There were times when she fought to leave her home and return to her life of bondage. She cut and bruised herself and even tried consuming raw meat during one of her episodes.

GGBK supported her with an all-round mental health care and treatment. She is now stable.

In the case study mentioned, her parents often asked the survivor to ingest her medicines on time, else she would feel the urge to leave the house again. They did not understand that saying so proved to be more detrimental for her mental health, as there were indeed times when she wanted to return. She therefore believed that taking the psychiatric medicines would stop her from doing what she wants.

The social workers work with the family to help them support the survivor in the best possible way – from **mental and emotional care** to ensuring she regularly attends her **counselling sessions** and takes her **medicines on time**.

- b. **With the survivor** – Mental Health Support under CBR allows the voice of the survivor to be at the centre of the process of recovery and rehabilitation. The social workers work directly with the survivors, supporting them in their every need to restore their mental well being and agency

over their lives.

GGBK has mobilised resources to buy medicines for survivors who require immediate psychiatric attention from private physicians. Social workers have also worked overtime to personally keep track of the medicinal dosages and routine of the survivors.

MENTAL HEALTH AS A KEY ASPECT OF CBR

Mental health support and treatment is a chief component of CBR wherein the improvement in the mental health conditions and well-being of the survivor will hugely impact the other aspects of CBR such as seeking legal aid, livelihood opportunities, etc.

- i. A survivor of trafficking often suffers **lapses in memory** and may not be able to effectively recollect all the incidents of her traumatic experience. The defense lawyers of the traffickers often exploit these inconsistencies during a trial, leaving the trafficker unpunished and free to roam within the survivor's community.
- ii. Similarly, medical tests of survivors include both physical and mental health reports, which are two major **evidences for claiming Victim Compensation**. Studies have shown that only physical health tests have been conducted under institutional care. With the lack of mental health report, survivors are deprived from accessing Victim Compensation from the government.
- iii. Only with adequate mental health support, a survivor will be able to overcome past trauma and achieve the **stability** required to engage in a livelihood of their choice. Without financial independence, chances of being re-trafficked are quite high.

Through Community Based Rehabilitation, this systemic model of Mental Health treatment has been institutionalized and is followed by GGBK and its partnering organisations with effective results.

IMPACT OF MENTAL HEALTH TREATMENT

1. As a result of referrals by Anwasha counsellors, till date **9 survivors** received mental health treatment across Nimpith, Canning, Diamond Harbour, Baruipur and Jalpaiguri's Sub-divisional hospitals. This is an instance of **systemic mental health intervention**.
2. In referral cases, the doctors have also taken support from respective social workers for basic level of counselling of the survivors throughout the treatment process.

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3. Currently, in all sub-divisions of South 24 Parganas, survivors are receiving mental health routine check-up and treatment with supply of free medicine.
 4. An interface was organised in collaboration with the World Health Association, the CMOH, BMOH and other sub-divisional health departments.

“HOW HAS MENTAL HEALTH IMPACTED YOUR LIFE?” – SURVIVORS’ WORDS

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1. I can take more responsibilities now.
2. I can now take care of myself and my family.
3. I can study with full focus.
4. I can now participate in the ongoing case against my trafficker.
5. I can confidently speak the right things at the right time.
6. I my own business successfully.
7. I am able to love and respect myself and others.
8. I can now fight for myself and for the rights of other survivors.
9. I can think and ideate new thoughts and possibilities.
10. I can dream and plan for my normal life.

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Survivor Led Self Help Group (SHG)

Survivor SHG as Means of Providing Livelihood

Trafficked survivors face stigma and shame after their return to community. Their acceptance within their own homes is very low. During such times, a source of livelihood generation becomes of utmost importance for social and familial reintegration of the survivor, as a part of the CBR process.

It is due to the income generated from the survivor's livelihood facilitated by support of an SHG, that she can live with a sense of dignity and respect within her home and community. Without a means of livelihood, a survivor's chance of being re-trafficked increases tremendously.

Since 1985, GGBK has supported in the functioning of 252 SHGs across South 24 Parganas, West Bengal. Women across these SHGs have been successful in saving large sums of money which they later invested in building and running their own businesses. This motivated the survivors and it set the way for survivor led SHGs. Taftesh plays a vital role in working with SHG groups for CBR.

FORMATION OF SURVIVOR LED SHG

GGBK's experience in supporting 252 SHGs across the district had been a huge learning experience for the survivors and members of GGBK. The survivors tried to replicate this model and build a survivors' SHG of their own.

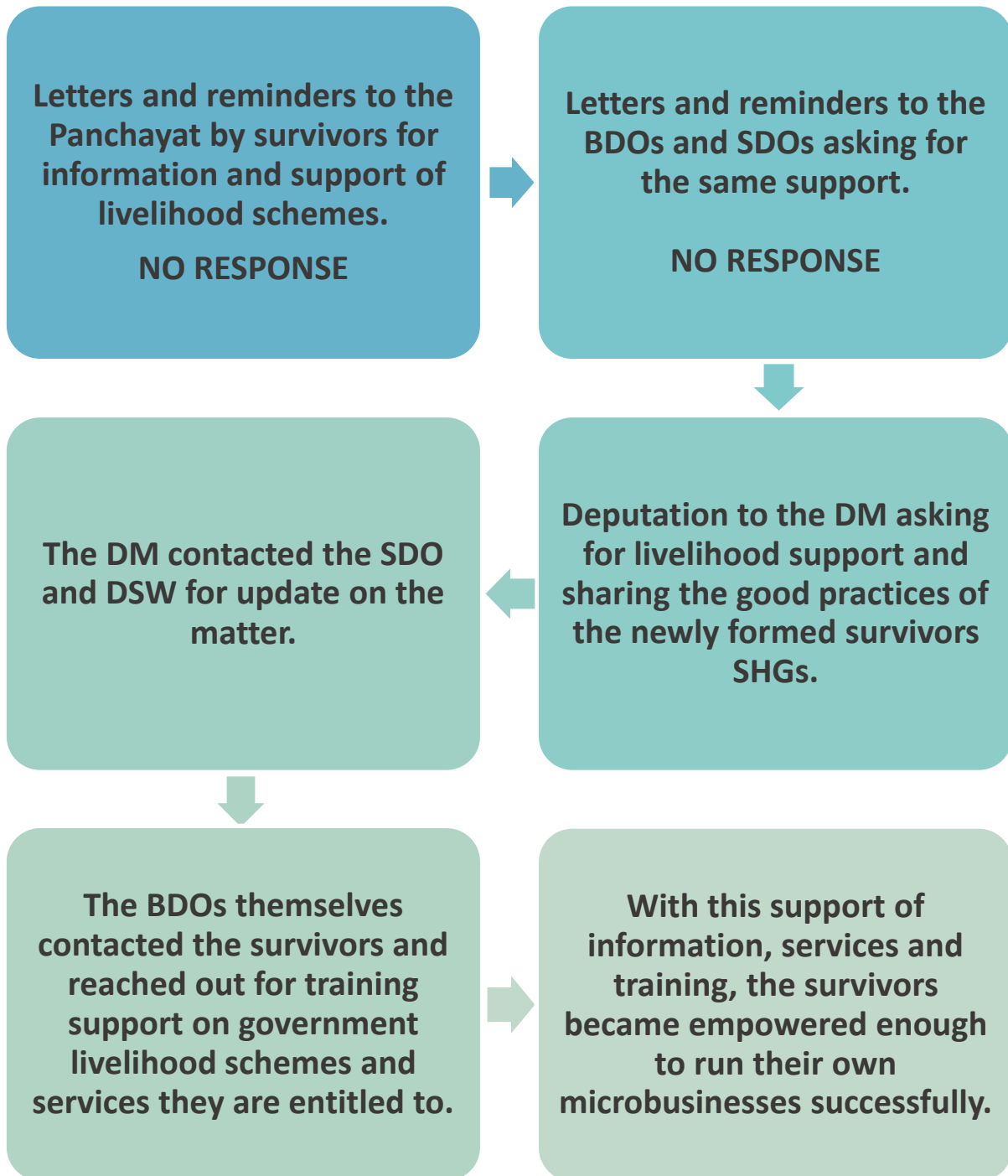
However, there were 2 main challenges –

- a) In an SHG, all members need to be under one Gram Panchayat (GP). However, not all survivors live under the same GP and hail from different villages.
- b) There should be a minimum of 10 members from the same GP for an SHG to form. However, there were not enough members under a single GP for the survivors to form an SHG.

To combat these challenges, the survivors began advocacy with duty bearers and government stakeholders to enable them to form a survivor-led SHG under a Block

comprising of members across several GPs. They were successful. Soon, such SHGs began forming gradually under each block.

DEPUTATION TO GOVERNMENT FOR LIVELIHOOD SUPPORT

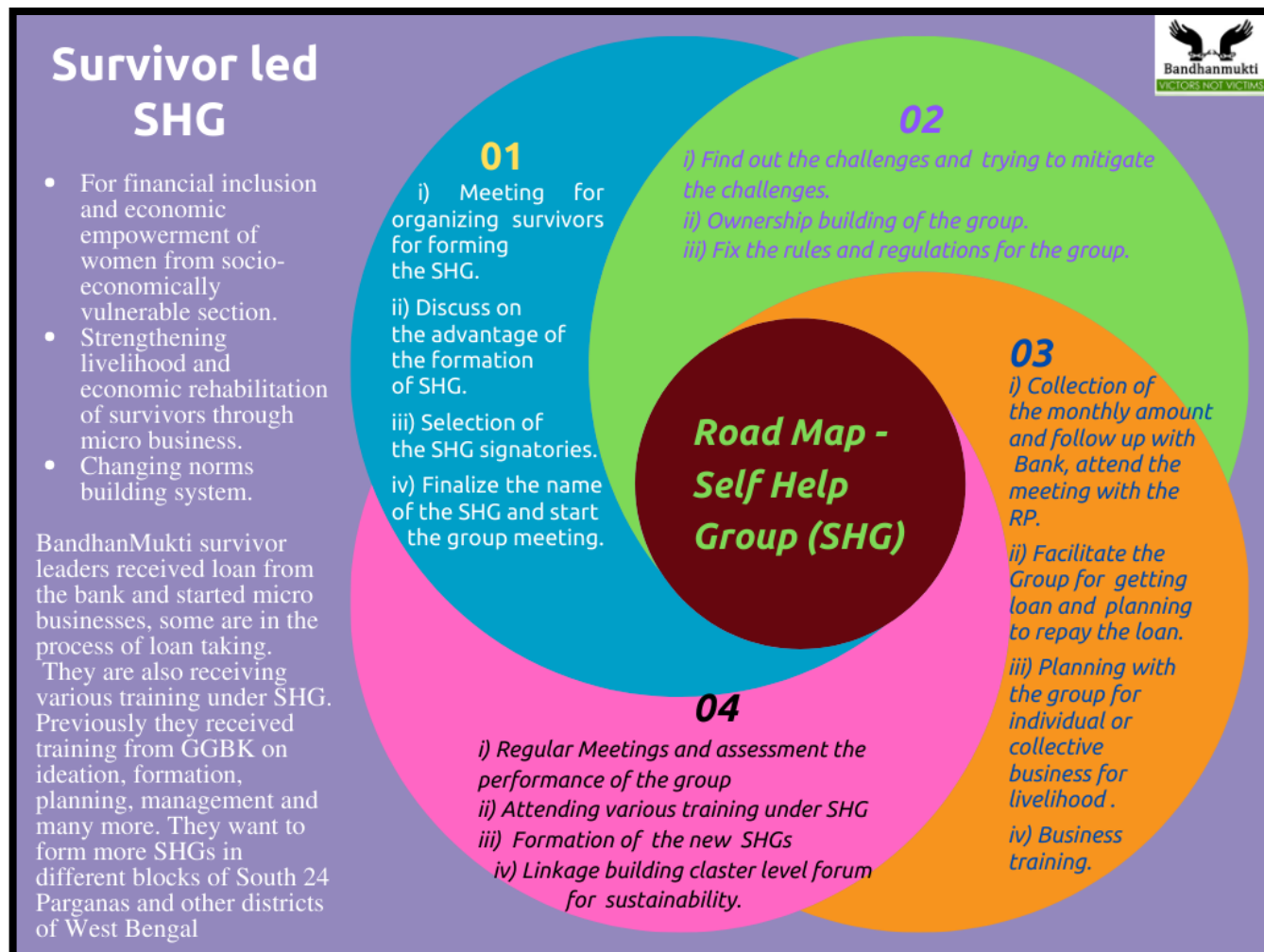


IMPACT OF ADVOCACY FOR LIVELIHOOD SUPPORT THROUGH SHG

- The government duty bearers and stakeholders have supported the survivors in every step of the way to enable them to achieve financial stability. The **Kakdwip Sub-Divisional Officer (SDO)** deserves a special mention -
 1. The Kakdwip SDO delivered a special permission to include girls below the age of 18 years in the Survivor led SHGs.
 2. Kakdwip SDO also arranged for SHG training of survivors – formation of SHG, livelihood practices, etc. The survivors have now decided to facilitate business plan meeting with their family members in order to include them in their livelihood process.
 3. Under the Sukanya Samridhhi Yojana, the Kakdwip subdivision has disbursed 2 lakh rupees to all survivors under the age of 18 years. This will enable these survivors to plan and continue with life comfortably. The Kakdwip SDO has taken on this initiative of his own accord.
- The survivors' collective, Bandhanmukti's initiative to increase awareness and formation of survivor led SHG has paid off. Bandhanmukti leaders advocated and inspired the trafficked survivors in the **Jalpaiguri district's Tea Garden area** about the effectiveness of collective action over individual efforts to overcome problems. In the Tea Garden area, a survivor led SHG '*Ebong Cha*' has been formed. Bandhanmukti leaders will continue to provide them with support for as long as they need in order to function independently and sustainably.

Currently, there are 16 Survivor Led SHGs across South 24 Parganas and Jalpaiguri districts.

ROAD MAP OF SURVIVOR LED SHG



TRAININGS

GGBK, its partner organisations and government stakeholders provided SHG training to the survivors on the following topics –

1. Formation of an SHG (criteria of being a member and other stakeholders involved)
2. How to conduct SHG meetings and Planning Meetings
3. Maintaining an SHG register
4. Banking needs (opening and maintaining a savings account, passbook, etc.)
5. Livelihood schemes and services

6. Maintaining a loan ledger
7. How to receive loans, utilise loans most effectively and repay loans
8. Relationship maintenance with village Resource Persons (RPs) and stakeholders
9. Attending cluster level meetings

CHALLENGES FACED & ITS MITIGATIONS

There are mainly 3 challenges that the survivors face in the functioning of SHGs. During these times, social workers needed to intervene and provide support to help mitigate these challenges.

Challenge	Mitigation
<p>If a member decides to leave the SHG, it often leaves the rest of the team demotivated and disinclined to continue.</p>	<p>Social workers discuss within the team the possible resolutions of the issues faced the member to ensure the retention of the member. In case she is still unable to continue, she is requested to look for a substitute member in her place, preferably from her own family.</p>
<p>Members are sometimes unable to repay loans.</p>	<p>Planning meeting with social workers on how to better plan their livelihood strategies, so they are able to generate enough savings in order to repay loan.</p>
<p>While taking decisions within the SHG, there are often differences in opinions within the team members, resulting in conflict.</p>	<p>Social workers need to intervene for conflict resolution and management.</p>

IMPACT OF SHG ON SURVIVORS' LIVES

1. The most crucial impact of SHG on the lives of the survivors is their reintegration into mainstream society. They are able to live life with dignity and respect.
2. On running successful businesses with the support of SHGs, the survivors are able to generate income for themselves and contribute to their families' income. They are able to plan for their children's education and generate life savings. They now have a voice in the decision-making process in their families.
3. Being members of SHGs, the survivors have become empowered enough as a group to participate in community issues and public causes.
4. The survivors have become role models for other women in their community. They are approached for guidance in setting up more SHGs.

IMPACT STORY OF DUTY BEARER

The Kakdwip SDO, has recommended that the survivor led SHG members ask their fathers to make an affidavit for a plot of land under their daughters' names. This will ensure that at no point, the survivors will be homeless.

Alongwith livelihood, housing is a crucial aspect of the survivor's life, as they are often ostracised from their families and communities due to the stigma of being a trafficked survivor.

This incident also proves that the government stakeholders are being sensitised with far reaching impact on all 3 areas of livelihood, housing and health in the lives of the survivors.

OVERCOMING THE AMPHAN & COVID 19 CRISES

The locus of the survivors in the CBR model is at the center around which the program is developed. The role of the survivors is participatory in nature, where they work in

tandem with the social workers and government stakeholders to fight for their own rights. As a result, they develop strong leadership skills in the process of achieving social and financial empowerment. The program also helps build resilience and mental strength within the survivors.

This resilience has helped them overcome emergencies and battle crises like the Amphan cyclone and the Covid19 pandemic in 2020. Most of the survivors' livelihood had already come to a screeching halt owing to the pandemic. During such a time, they lost their homes to the Amphan cyclone. The same calamity happened for the second time due to the Yaas cyclone in 2021. It was because they were members of the SHG that the survivors were able to rebuild their lives continuously by taking loans for housing, health and business purposes. They availed of services through the government schemes for disaster relief since they had linkage to those schemes through SHG membership.

Being members of SHG, the survivors have been accustomed to working alongwith government duty bearers. Therefore, during such emergencies, they had the awareness and the knowledge to seek help and support by themselves. The program helped them become self-reliant and they were able to handle these crises effectively.

“WHAT ARE YOUR LEARNINGS WORKING IN AN SHG?” – SURVIVORS’ WORDS

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- 1. How to form an SHG**
- 2. Maintaining a register and book keeping**
- 3. Maintaining bank accounts**
- 4. How to apply for loans and utilise them on the journey to self-reliance**

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5. Longer an SHG functions, greater the loan amount that can be received
 6. How to support others in their journeys of becoming self-reliant
 7. SHGs can be led by trafficked survivors and women can become independent and empowered
 8. SHG as a means of support during crisis
 9. How to utilise individual and group savings for future use
 10. The possibility and reality of running a business
 11. How to apply for schemes and benefits
 12. Facilitating meetings and initiating group discussions
 13. Group Management
 14. Coordinating with village Resource Persons
 15. How to advocate for survivor led SHGs with higher officials in the government
 16. Raising awareness among trafficked survivors in the community about survivor led SHGs

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Victim Compensation (VC)

Survivor's Journey to Justice

Victim Compensation scheme states the responsibilities of the State Government to provide compensation to the human trafficking victim, survivor or their dependents, who have suffered loss or injury as a result of the crime and require rehabilitation.

Therefore, Victim Compensation is a **direct financial compensation to a victim for the violation of their human rights that resulted from a crime against the victim**. Each state has a crime victim compensation program that allocates funds to survivors of sexual assault and other violent crimes. This is one of the major supports for the survivors of human trafficking.

Victim Compensation has been included in the Section 357 of the Code of Criminal Procedure, 1973 (CrPC). However, it is limited to provisions that the court may award compensation to the victim of crime at the time of passing judgment, if it considers appropriate in a particular case in the interest of justice. In 2008 amendments to CrPC has widened the scope to include compensation for victims of sexual offence by introducing section 357A.

Following the notification of the section all states notified their state specific Victim Compensation Scheme from 2011. The West Bengal Victim Compensation Scheme (WBVCS), 2012 and further repealed to announce a fresh scheme in 2017.

ELIGIBILITY CRITERION OF VICTIM COMPENSATION FOR SURVIVORS

Sl. No.	Description of Injuries/Loss	Minimum Amount of Compensation
1	Acid Attack	Rs 3 lakhs
2	Rape	Rs 3 lakhs
3	Physical abuse of minor	Rs 2 lakhs
4	Rehabilitation of victim of Human Trafficking or other offences like witch hunting etc.	Rs 1 lakh
5	Sexual assault (Excluding rape)	Rs 50,000/-
6	Death	Rs 2 lakhs

7	Permanent Disability (80% or more)	Rs 2 lakhs
8	Partial Disability (40% to 80%)	Rs 1 lakh
9	Burns affecting greater than 25% of the body (excluding Acid Attack cases)	Rs 2 lakhs
10	Loss of foetus	Rs 50,000/-
11	Loss of fertility	Rs 1.5 lakhs

Note: If the victim is less than 14 years of age, the compensation shall be increased by 50% over the amount specified above.

Source: *The Kolkata Gazette, Extraordinary, February 17, 2017*

Most of the crimes stated in the list have been committed against the trafficked survivors during the trafficking journey and living in bondage in brothels. In addition, most of the survivors have been trafficked while they were minor.

CHALLENGES IN ACCESSING VC

While dealing with the survivors, GGBK has come across several hurdles to create access for victim compensation. Where intensive interventions have been done, it has been found that many a times, VC has been denied to survivors owing to –

- lack of documentation of trafficking,
- lack of awareness of accessing VC on part of the survivor,
- delayed submission of psycho-analytical test report to the court,
- misleading and deferred dates of court hearing.

It is important to state that the onus of producing appropriate documentation should not lie on the survivor. Trafficking is a highly organized crime, and traffickers make sure there is no paperwork or evidence that can implicate them of the crime at any point of time. Asking the survivor to produce evidence of crime against them causes further harassment to the survivor from the legal system.

It took almost 2 to 3 years for processing at the court and declaration of the victim compensation, though the court orders did not compensate the claimed amount. In majority cases, the compensation amount has been around 25% of the claimed amount. Further appeals have been made to State Legal Services Authority (SLSA), challenging the compensation amount declared by the District Legal Services Authority (DLSA).

SOME DATA REGARDING VICTIM COMPENSATION

The following is some relevant data by **Tafteesh MIS** (Management Information System), **2016** of the **number of trafficked survivors** and the VC filed by them with the help of support organisations in South 24 Parganas.

Total Number of VC Filed	VC Order Passed by SLSA	VC Disbursed by SLSA and Received in Bank	VC Disbursed by SLSA but Not Received in Bank	Hearing Complete but Order Pending	VC Filed by Private Lawyer	VC Filed by SLSA Lawyer
48	26	7	19	22	26	22

ACCESS TO FREE LEGAL AID

Data shows that only 46% of survivors have received free legal aid support from the DLSA. In majority cases, the survivors are not aware of such free legal aid services from the DLSA. They believe they will need to bear expenses for any kind of legal aid. On the other hand, there is no such initiative from the DLSA to create mass sensitization on their services.

Through the CBR program, survivors learn of their rights to free legal aid and avail such services.

IMPACT OF VC ON SURVIVORS FROM SOCIAL WORKERS' VIEW

The social workers of GGBK who actively work in close quarters with the survivors share the impact of Victim Compensation –

1. The compensation amount has greatly improved the lives of the survivors and their families. They can now buy land, livelihood resources and plan their children's future.
2. The survivors can now participate in all local and national events regarding VC.

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3. Their family members show respect towards them and include them in every decision-making process within the family.
 4. With the compensation amount, the survivors are able to ensure their cases against the traffickers continue in court and finally see them brought to justice.

“HOW HAS VICTIM COMPENSATION HELPED YOU IN COMMUNITY BASED REHABILITATION?” – SURVIVORS’ WORDS

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1. Bought clothes, mobile phone and sewing machine for her husband
2. Made two Fixed Deposits for her 2 daughters
3. Buy essential items for domestic use
4. Financially supported father and brother
5. Made a Monthly Income Scheme (MIS) for herself
6. Bought a property for business
7. Bought goods to sell in business
8. Bought land for her own housing
9. Used the money for agricultural uses
10. Repaid loans

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SURVIVORS' JOURNEY TO JUSTICE

1. I received my VC amount a long time after the order was passed.

2. Multiple hearings

1. Trafficker's threat for withdrawing case against him
2. Misspelled name in official documents led to a lot of issues
3. VC order has been passed by court, but no amount has been disbursed yet.

I believe in the system to receive justice and punish my trafficker. I believe in the support of my mother, the duty bearers and GGBK, the organisation to help me in this fight.

1. No cases in the source location
2. DLSA lawyer used to be absent on the day of hearing.
3. Hearing is over, but no order for compensation has been passed.

I did not believe I would receive justice as my case against trafficker has not progressed till date. But working with the 'dadas' and 'didis', I have received a bit of justice in the form of the VC amount.

The social workers informed us about VC and supported us in every way possible to get the compensation

I did not believe I would receive justice as my case against trafficker has not progressed till date. But working with the 'dadas' and 'didis', I have received a bit of justice in the form of the VC amount.

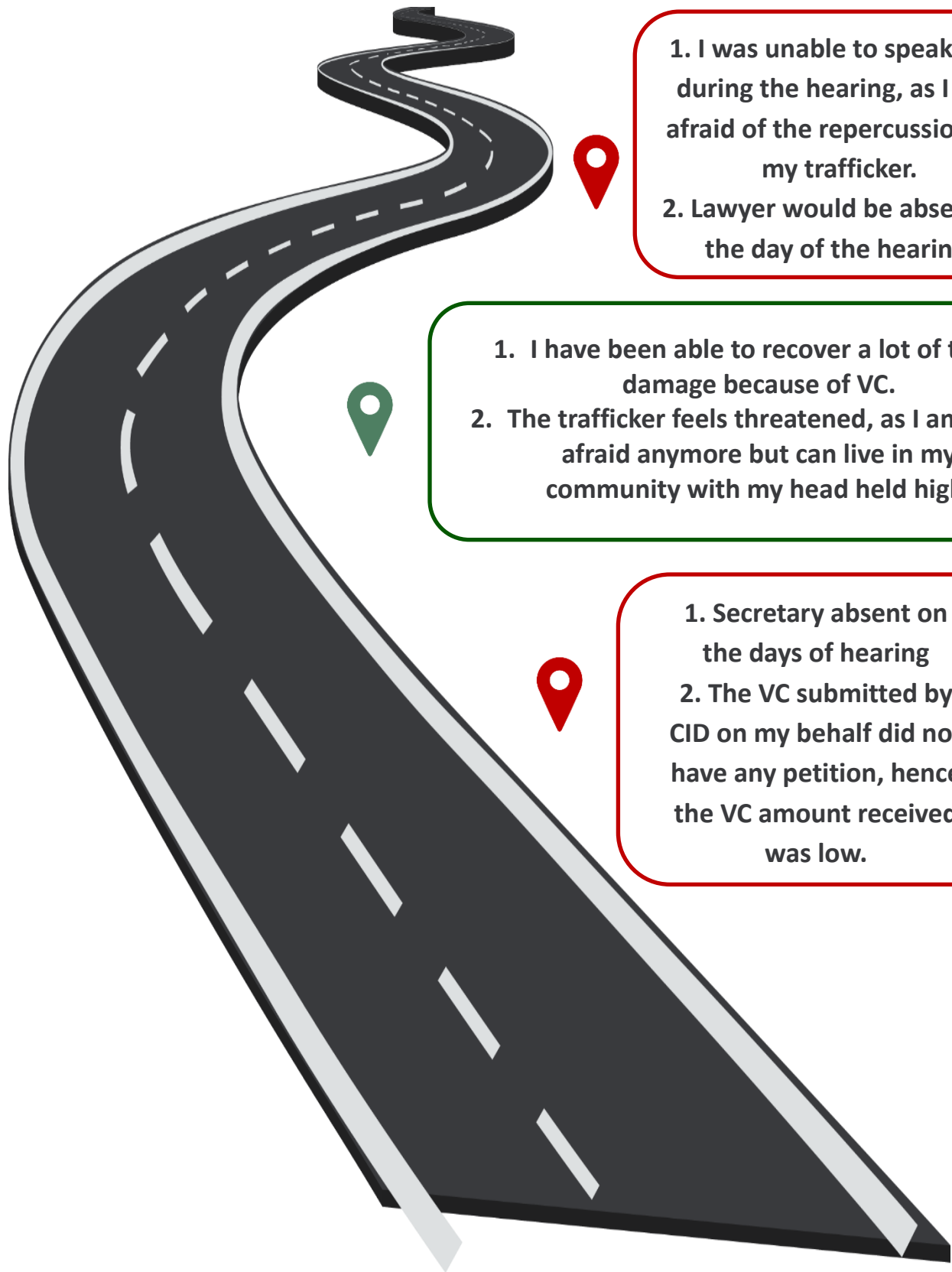
Because of the VC that I received, the trafficker now feels afraid to harm me. I thank the social workers for their support.

1. Afraid of the trafficker
2. Hence, I was not able to speak the truth on the day of the hearing.
3. I have no verifiable document of being trafficked

GGBK first informed me about my right to compensation. I believe that my trafficker will be punished one day – this motivates me to continue with case against him.

With the VC amount, I will be able to continue with the case against my trafficker.

Due to the lockdown caused by the Covid19 pandemic, all court hearings have been halted for a year.



1. I was unable to speak well during the hearing, as I was afraid of the repercussions of my trafficker.
2. Lawyer would be absent on the day of the hearing.

1. I have been able to recover a lot of the damage because of VC.
2. The trafficker feels threatened, as I am not afraid anymore but can live in my community with my head held high.

1. Secretary absent on the days of hearing
2. The VC submitted by CID on my behalf did not have any petition, hence the VC amount received was low.