

## Bombay Prostitution Committee's Report.

1. *Terms of Reference.*—The task assigned to this Committee is "to consider means for remedying the evils of prostitution in Bombay". The history which had led up to the present condition of affairs is little remembered and must be briefly recounted.

2. *Contagious Disease Act.*—In the late 60's the official conscience awoke to the terrible ravages of venereal disease. The passing of the English Contagious Diseases Act of 1866 to 1869 was followed by an Indian counterpart, Act IV of 1868, which enabled the Provinces to enforce the registration and compulsory examination of common prostitutes and their detention till cured. Advantage was taken of the Act in all the three Presidency towns. In Bombay a temporary Lock Hospital was built and staffed, the city divided into six registration districts and the administration of the Act entrusted to a Supervisor with six medical inspectors and a small force of policemen and matrons. The Act came into force on 1st May 1870 and in the first year Rs. 80,000 were spent by the City and Government jointly, 2,000 prostitutes registered and subjected to weekly examination and 600 medically treated. The Bench of Justices however decided that the results had not justified the expense and refused their contribution for 1871. Government agreed that the results were poor but decided to continue the experiment for a year more and to reduce the cost by abolishing the post of Supervisor and entrusting the working of the Act to the Health Officer without extra remuneration and with a smaller staff. The second year's working however was less successful than the first—Rs. 60,000 was spent, but the whole staff was discontented, and the prostitutes began to learn how to evade registration. The result was that on 30th March 1872 the operations under the Act were formally closed and the hospital and inspecting staff disbanded.

The Sanitary Commissioner to Government in 1876 proposed the revival of the Act and the Health Officer of the Corporation supported him, giving it as his opinion that the opposition to the Act would disappear if the Lock Hospital were sympathetically administered. Government accordingly invited the Municipality to reintroduce the Act and at a meeting held on 27th April 1877, the Corporation agreed that it was desirable to do so but to make the working of it self-supporting, as the Corporation had no funds for the purpose. Government rejected this proposal after long deliberation and early in 1880 called on the Corporation to furnish half the cost of working the Act. The Corporation at first refused, resolving that it was ready to spend a maximum of Rs. 15,000 a year on the mitigation of the diseases, but finally acceded to the demand of Government. A Lock Hospital was established in charge of a medical officer, the City divided into three

registration districts, the prostitutes registered, this time by the police, three examination centres established, each with its doctor, and prostitutes found diseased were marched to the Lock Hospital by the police and there detained. Much protest was raised by well-known citizens led by the Bishop of Bombay, but Government persevered with its policy until in 1888 the Contagious Diseases Act was repealed by the Central Government two years after the repeal of the English Acts.

3. *Subsequent Policy.*—During the succeeding thirty years the policy has been one of frank *laissez-faire* so far as the worst evils of prostitution, the moral and physical, are concerned, combined with a very efficient enforcement of the laws made to control prostitution regarded as a public nuisance. Latterly, especially since Syed Mirza Khan's case in 1917 a rigorous attempt has been made to protect prostitutes from illegal detention by enhanced punishments and by declaring debts contracted by them from the keepers of their brothels irrecoverable. The new Children's Welfare Bill should abolish, when it becomes law, the grave abuse of children living in brothels. By a systematic use of section 20 of the Bombay City Police Act, which enables the Commissioner of Police to direct any prostitute to vacate her place of residence, a segregated area has been formed in the vicinity of Grant Road Station. The effect of this process can be seen by a comparison of the figures of the 1901 and 1921 census, though it must be remembered that the census deals only with women who are so patently prostitutes as not to desire to conceal their profession. The return shows that the two Sections—Tardeo and Kamatipura—contained in 1901, 349 and in 1921 1,340 such women—or 18 per cent. and 45 per cent. respectively of the whole number in Bombay as shown by the census.

4. *Number and location of prostitutes.*—The Provincial Superintendent of Census to whom we are indebted for much up-to-date information has furnished us with a map showing the distribution of the 2,995 women who returned their occupation as prostitution in the last census. There are known houses of prostitution in areas professing complete immunity in the census returns, for instance in the approaches to the Alexandra Dock, but the women outside the tolerated area have a motive to conceal their calling which those inside have not, and consequently the map exaggerates the degree of segregation achieved. It does not show however the intense degree of segregation in the rectangle bounded on the South by Grant Road, on the North by Bellasis Road, on the West by Falkland Road and on the East by Duncan Road. The Commissioner of Police estimates the number of prostitutes living in brothels alone at nearly double the census figures. The present policy has achieved the concentration in a small area of a large proportion of acknowledged prostitutes, especially of those likely to offend against good order.

5. *Advantages of segregation.*—This segregation has been progressively attained largely by compliance with demands continually arising for the removal of prostitutes from "respectable" localities. Prostitutes have been transported to an area where they can be a nuisance only to each other. On behalf of segregation it has been urged that it facilitates administrative supervision, the maintenance of order, sanitation, and medical supervision. How far can these advantages be said to have been gained in Bombay? Medical

\* By Government Resolution, Home Department, No. 469 of 16th November 1921. The final constitution of the Committee was:—Sir Jamsetji Jejeebhoy, Bart., M.L.A. Chairman, The Right Reverend E. J. Palmer, D. D., Bishop of Bombay, The Most Reverend Dr. A. Goodier, S. J. Archbishop of Bombay, Mr. W. C. Holman, Commissioner of Police; Mr. H. B. Clayton, I.C.S. Municipal Commissioner; Major C. Fernandez M.D., I.M.S., M.L.C., Dr. (Miss) E. Turner Watts M.D., Dr. (Miss) Jerbanoo E. Mistri, L. M. & S., Mr. Faiz B. Tyabji Bar-at-Law, Mr. S. G. Velinkar, L.L. B., Bar-at-Law, Mr. Kanji Dwarakadas, M.L.C., Colonel K. McLennan D.S.O. R.A.M.C., Colonel Stanley R. Ewens, Chief Secretary, Salvation Army; Mr. K. Natarajan, Rev. R. M. Gray with Mr. E. W. Perry, I.C.S. as Secretary.

supervision may be left out of account for there is none whatever. The other three points are said by the executive officers of Government to have been facilitated by segregation. Their opinion would be conclusive if it were right to assume that the duty of securing public order and decency belongs to the executive officers of Government alone. But we incline to the opposite view that the public has the duty of co-operating with Government on all such matters, and that in proportion as it does so, public order and decency and sanitation are better secured. We believe that the policy of segregation has encouraged the public in holding aloof from any interference with the evils existing in the segregated area, whereas, if these evils were dispersed, public opinion would be more aware of them and more likely to exert itself to combat them. Further we note that the system of saving the better areas by the creation of a plague spot is one against which public opinion is visibly strengthening. We doubt if any citizen of Bombay can entirely eliminate from his mind the horror and disgust inspired by the contempt of morality which "Grant Road" implies and the misery of the unfortunate women which it displays.

Though we have no wish to see an aggravated condition of affairs in the by-laws, the demand for the removal of brothels from the main roads and tram lines which are used by all classes of the population is insistent and should be carried out in the interests of public morals whether our main proposals are accepted or not.

6. *Public feeling against Grant Road.*—The recent proposal of the Municipal Corporation to expel prostitutes from the Grant Road area and segregate them elsewhere was inevitably rejected by Government. Similar appeals in the past, notably that of the meeting presided over by Sir Bhalchandra Krishna in 1911 for the removal of prostitutes from Girgaum, have remained unanswered. The present area is tolerated by force of custom. If a new area on same scale were established in any accessible position the inhabitants would raise a strong protest, while relegation to an inaccessible and undeveloped area would be equivalent to abolition. "Grant Road" has however, as we understand, only just survived a scheme of reconstruction which has been temporarily shelved as involving heavy demolition. The scheme would inevitably have led to some dispersion of prostitutes. Public opinion would not permit the rebuilding of quarters for prostitutes by or on behalf of a public body.

7. *Defects of segregation.*—Segregation then has by no means destroyed the nuisance. We believe that it is also responsible for some preventible immorality and disease and much unnecessary misery. We must briefly refer to the conditions of that area. A few foreigners still maintain comparatively luxurious and well-conducted quarters in close proximity to the humbler members of their profession. But there has been considerable reduction recently in the numbers of such women owing to the action of Government, and we are glad to learn from our witness Mr. Takayama that the Japanese Government is keeping a close watch on the emigration of Japanese girls. Though we object on principle to a system which implies toleration and gives publicity, these higher class brothels are probably not productive of gross cruelty to the inmates nor centres of much venereal disease, as systematic medical attention is provided by the brothel-keepers. One admitted abuse peculiar perhaps to brothels of the European class is the sale of drink which is common in them. Money may not nominally pass for the drink, but we desire to bring the acts to the notice of Government, though unable to

suggest the remedy. Brothels of this class are however an inconsiderable fraction of the problem. The normal brothel is one which panders to the demand of the poorer substrata of the city.

8. *Present conditions.*—The girls in these Indian brothels are regularly recruited, some from the Panjab, some from Kashmir, very many from Goa, others from Kanara or places nearer at hand, but the brothel inmate is seldom a native of Bombay. Each brothel usually receives a succession of new inmates of the same class or caste. Whether systematic or not there is an agency continually at work to supply the demand of the brothels for an ever-changing personnel. Provided the girl is over sixteen years of age the authorities are powerless to interfere. Many Bombay prostitutes live a semi-family life and keep with them young dependant children who, if girls, are inevitably inured to the trade. At present the authorities have no power to remove these children from their deplorable environment, but as the Bombay Children Bill, makes adequate provision to meet this crying evil by making it an offence for any one having control over a girl between the ages of 4 and 16 to encourage her seduction or prostitution or to allow her to reside in a brothel, we have no further recommendation to make on this question. The brothel-keeper on the arrival of a new comer in the brothel binds her to him by the ancient device of putting her in his debt. Though such debts have been recently made irrecoverable at law and the police do all in their power to make this known, the very fact that the custom remains prevalent shows how effective it still is. Physical detention may be rare, probably because it is seldom necessary. We are told that the bars on the brothels were put up to screen the women from unwelcome attentions from the police and maltreatment by hooligans. Special powers have been recently given and vigorously imposed against the forcible detention of prostitutes. But there is seldom need for forcible detention. The only apparent alternative to continuance in the brothel is starvation, and the mode of life induces mental inertia. A great number of women are the virtual slaves of the brothel-keepers. Their scanty fees are the property of those who contrive always to keep them in their debt. In consequence they are compelled to ply their trade up to the limit of human endurance even when suffering from acute venereal disease. The insanitary and overcrowded condition of the brothel area, though perhaps not worse than in some other parts of the city, is particularly horrible in their case. The normal lodging is a room with about 150 square feet of floor space, with sometimes a smaller room attached in which the girls cook, eat, live and ply their trade. In the worst instances as many as 12 prostitutes are confined in premises of this description. Medical attention is wholly denied them.

9. *Features of the present agitation.*—Such being the admitted state of affairs the unanimity of the demand for improvement is not to be wondered at. Two improvements we find to be invariably demanded:—

(1) Adequate provision for the treatment of all cases of venereal disease presenting themselves by the provision of dispensaries, beds in hospitals and free maintenance during treatment.

(2) The elimination of the pimp, procurer and bully.

10. *Medical provision.*—The fullest possible treatment of venereal disease is the obvious means to a decrease in its incidence. But the means of treatment available are deplorably inadequate. There is no hospital in Bombay at which a sufferer from venereal disease can count upon reception a

an in-patient, though a beginning is soon to be made, we believe, in a new municipal hospital at Parel. Dispensaries at which free treatment is given, are also far too few. We agree with Dr. DeSouza that Bombay should be dotted with such dispensaries as that which the League for Combating Venereal Disease has recently set up at Byculla. We wish to leave to this body and to the local authorities the questions of the education of the public in venereal disease, notification of disease, prophylactic treatment and abluition centres. If the Government of India subscribes to the Geneva convention to that effect, the provision of hospital treatment for wandering men suffering from venereal disease and advertisement of the location of the hospital will become obligatory upon the Central Government. Much as we should welcome the acceptance of the principle that a sufferer from one of these diseases is entitled to the same care and sympathy as a sufferer from any other disease, it will be humiliating to see provision made for a class which is mainly not indigenous, in response to outside pressure, on a better scale than that provided for our own people. Though we have no satisfactory statistics available, recent partial enquiries seem to show that the diseases are particularly severe in their incidence in this city. Our witnesses have it clear that a large proportion of those who would gladly resort to treatment are unable to obtain it. If wards were available where prostitutes and others were treated under humane and liberal discipline, we feel sure that a great many carriers of disease could be retained under treatment till they were rendered non-infective. This is our first recommendation. It is one which should be carried out, whatever system of control is adopted. Moreover, until provision is made for all patients, male and female, voluntarily presenting themselves, we do not think that the advocate of compulsory treatment is entitled to a hearing.

11. *Procurers*.—On the question of the pimp and procurer we have heard no more vigorous denunciations than from those of our witnesses who favour a continuance of the brothel system. But the brothel-keeper is necessarily the worst offender, and if pimping and procuring are really anti-social acts and we are not to stop short at moral indignation, we are bound to cease tolerating the institution which necessitates their continuance. The suggestion has been made that because male brothel-keepers have been responsible for the worst atrocities they only should be penalised. The suggestion of course proceeds from the assumption that the present brothel system is to be retained and on the admitted fact that the "meadames" of brothels see that their institutions are conducted in as orderly and outwardly respectable a way as possible. But the male would screen himself behind a woman brothel-keeper in every case as is now done in Bombay and wherever brothels exist, and we do not think that the provision would result in any appreciable improvement. The powerlessness of Government to deal with this undesirable class under the existing law has caused much comment and surprise not only from non-officials. The reason is simply that the pimp and procurer must be tolerated under a system which virtually tolerates the brothel.

12. *The Brothel*.—We regard it as axiomatic that so long as the brothel is tolerated, there will be a steady flow of girls from the mofussil to the Bombay brothels, and, under present economic conditions, so long as the supply of professional prostitutes equals the demand, the bulk of prostitutes will have to live in the most degraded physical conditions. Our objection to the brothel, however, does not end here. First the public display and advertisement of a facility or product must increase the demand for it.

Any man knows at once where he can go to satisfy his primitive instincts. Some expose themselves to unnecessary risks through curiosity, though we doubt if this is true of any considerable number of Indian inhabitants, whom we are mainly considering. Secondly, though we are far from wishing that the prostitute should be continually exposed to harassment because of her calling, we think that the entrenching of prostitution behind a ring fence does help to encourage an inert state of public opinion.

13. *Abolition and Regulation*.—Having said so much, we have prepared the ground for our constructive proposals. Segregation without medical supervision is a compromise between two rival systems upon which there is world-wide division of opinion—'regulation' and 'abolition'. By regulation we understand the registration and licensing of prostitutes and brothels and compulsory periodical medical examination with compulsory detention in hospital till cure of those found diseased. This is the system prevailing in France and Germany and still more completely in Japan. By abolition we mean destroying the brothel by making it an offence for any man or woman to live wholly or in part upon the immoral earnings of a woman. The standard arguments used for and against both systems are well known and scarcely need reiteration here. It is possible to state briefly the extent of agreement which the adherents of the two systems may reach. The staunchest advocates of abolition must admit that the regulationist is one who frankly recognises an insistent evil and deliberately ignores certain natural scruples in order to combat it the better. The regulationist will admit that his measures, since they are directed against only one sex and against only a fraction of the women who practise indiscriminate immorality, can only be partially effective. He will not agree that whatever diminution of disease is effected by such partial means is so inconsiderable as to be less than the increase due to the indirect encouragement given by the sense of official toleration. The arguments on this point remain inconclusive because they are incapable of proof. No system has been devised that will give sufficiently wide data of the incidence of venereal disease among the civil population under different conditions for the relative importance of any individual factor to be ascertained. If the question is merely whether abolition increases or diminishes venereal disease, the arguments cannot in our opinion be carried beyond the point which we have indicated. But the abolitionist is never content to leave the matter there. He cannot be persuaded that the State ought to throw the weight of its authority by regulation on the side of a system which condemns thousands of women to life-long degradation from which others make pecuniary gain. The more acute the public conscience becomes about all kinds of slavery and exploitation of the weak, the more importance will be attached to this argument.

14. *Military Cantonments*.—'Regulation' was until recently in closely defined cantonment areas enforced in India. The sting of compulsion is greatly weakened when it is easy for any prostitute who objects to it to quit the area affected, and this, combined with the fact that the powers given by the Cantonment Act were exercised with the utmost regard for the susceptibility of public opinion, was responsible for the late continuance of the system. We do not see the least ground for supposing that the compulsory examination of women could ever be re-established in Bombay. It is argued that regulation can be made self-supporting or nearly so by the levy of fees from licensed prostitutes. We think that the argument ignores the very

heavy cost of any efficient scheme of medical inspection, and we see no reason to expect that medical examination, which has in no 'regulated' country been effective as a security against disease, could be made efficient in Bombay. Moreover, we do not think it possible that public opinion would permit such a high degree of State interference and State recognition of the vice. This has never been attempted, as far as we are aware, in any part of the British Empire. The failure of regulation under the Contagious Diseases Act all over India points to the unsuitability of the soil to such a system, an unsuitability that must increase with the liberalising of ideas and the importance of the women's voice. Secondly, powers cannot be legitimately taken for compulsory treatment until provision has been made to meet the maximum demand for voluntary treatment. Thirdly, we feel that the moral objections to regulation among a civil population composed of all ages and both sexes are overwhelming.

15. *Main Recommendation.*—We therefore consider that this Government should follow the example of the Government of Burma and make the following acts illegal:—

- (1) the keeping of brothels;
- (2) the procuring of women;
- (3) the letting of houses for purposes of prostitution.

By 'brothel' we understand, as it is defined in Burma Act II of 1921, a place which one person allows another to use for purposes of prostitution. If brothels in this sense are illegal, the landlord who knowingly lets his premises for the purpose of prostitution clearly abets an offence. The offence however should be separately constituted. The inducements to a conscienceless landlord to let his premises to a class who will pay him a 50 per cent. higher rent than other tenants and pay it in advance are obvious.

It is possible that no perceptible diminution in the volume of vice will follow the legislative reform we advocate. Some actual decrease must follow from the lessening of advertisement and accessibility. This is a factor which we expect to affect particularly the visitor and new-comer. We hope also for progressive improvement in the public attitude to the question by the proscription of the brothel and discouragement given to the *laissez faire* school of thought. Thirdly, we look for a great improvement of the conditions of the average prostitute. The elimination of the procurer—the last census shows no less than 104 admittedly professional male procurers,—and of the acknowledged brothel, will automatically close down a great deal of the regular importation of women, and raise the present extraordinarily low market value of a prostitute's favours. When it is remembered that in Bombay a man with four annas in his pocket has the wherewithal to gratify his passion, it will be seen that not only does the economic barrier to vice, which is very effective in Western countries, not exist, but that a prostitute is impelled to submit herself to unthinkable abuse to obtain a living.

16. *Enforcement of abolition.*—We do not advocate that the powers which should be taken in the proposed legislation should be used otherwise than gradually. It may be necessary to allow a considerably longer time to lapse between the passing of the Act and the date of bringing it into force than the three months prescribed in the case of Burma Act II of 1921. We would certainly recommend that action should at first be taken against the sanitarily most degraded brothels, a strict watch being kept against the creation of new brothels and the advent of fresh blood to the old ones. It will probably be found, as we understand was the case when abolition was introduced in Colombo and

Rangoon, that quite a number of women have homes to return to, and that the abnormally short life of the class will begin to operate visibly when the sources of supply are cut off. Some special provision in the nature of temporary homes will be required, but we do not expect that this will have to be so considerable as to necessitate an unduly gradual enforcement of the law.

17. *Results of abolition.*—The eventual result of this change of law will be the disappearance of the brothel type of prostitute. Prostitution will become furtive instead of open, and dissociated instead of gregarious. Though it is notoriously difficult to prove a woman to be a common prostitute, association to the degree now prevalent will become impossible. It is not likely that many of the women now inhabiting brothels will be able to adopt themselves to the changed conditions and join the clandestine class.

18. *The clandestine prostitute.*—Various estimates have been made of the number of clandestine prostitutes now in Bombay. None are so sanguine as to put their number at less than that of brothel inmates, while Dr. Mistry tells us that 30,000 to 40,000 would be a moderate estimate. They are recruited largely from the ranks of the underpaid woman worker, the hereditary prostitute, the discarded mistress, the widow and the pauper. The Provost Marshall has told us that the problem of the homeless beggar woman has recently become very serious. The closing of the brothels may temporarily give a special vogue to this class and every effort will be required in protecting the decency of our streets and public places which is not too satisfactorily safeguarded at present. The problem of the clandestine is a social and economic problem and one which is mainly outside our province. We do not accept it as probable that the abolition of brothels will result in a large increase of clandestine prostitution. We expect, as has been said, that the diminution of demand due to the lessening of advertisement, accessibility, tolerance and inertia, and to the closing of some avenues by which prostitutes are recruited, will be considerable. Several witnesses have however pointed out that the clandestine prostitute being less worldly-wise is more liable to become a vehicle of disease. This may be true of European and high class prostitutes. We must again point out that this class is only a fraction of our problem, and that in the case of the majority of Bombay prostitutes disinfection and treatment are unknown. Perhaps these apprehensions which we believe to be exaggerated are due to the abnormal experience of England during the war. The more general objection which is sometimes heard that under abolition the streets will be unsafe for respectable women has, we believe, nowhere been realised. The fear that there may be an increase in unnatural vice is one which it is impossible either to discount or to meet by safeguards, but it probably proceeds from the unfounded assumption that the supply of prostitutes can be kept seriously below the demand in this city.

19. *Solicitation.*—It has also been suggested that abolition may lead to a great deal of solicitation. If this is found to be the case, the law can be strengthened. The present punishment for this offence is limited to eight days' imprisonment or a fine of fifty rupees, and our police witnesses wish it to be enhanced to six months' imprisonment or a fine of one hundred rupees as in Ceylon. But prison loses its fears with familiarity and fines impose the need of greater activity on this unfortunate class. We have no objection to the proposal, which the Magistracy will apply with due discretion, and suggest that it be accepted, in the hope that it may prove a greater deterrent than the present law in some cases, until fine and imprisonment can be entirely replaced by detention in certified Homes.

20. *Public Opinion and Custom.*—The most serious objection which can be brought against abolition is that it runs counter to the opinion and habits of the country, an opinion which has tolerated the existence of hereditary prostitution and virtually regarded prostitutes as ministers to the lawful need of the Community. The attitude of the general body of Bombay citizens in reference to the existing system of prostitution in the City has been one of helplessness which has sometimes been taken for acquiescence. But at the same time there has been continual agitation on the subject of the scandals of the brothel system in Bombay for many years. This has centered round the supposed increase of prostitution of which there is no trace whatever, but appears to us to show intolerance of the existing system. There is also a growing opinion amongst educated Indians which is strongly opposed to its more crying evils. We admit that much education of the conscience of the general public is still required and must be attempted by those who are alive to the need. But we believe that there are certain features of the existing system against which public opinion will harden more and more, and by striking at those features, legislation will both strengthen, and be strengthened by public opinion. The features to which we refer are those included under the terms "the commercialisation of vice."

21. *Organisation of Social Work.*—We have now a very large number of bodies engaged in propaganda and practical work. Apart from the Salvation Army which has many years of beneficent activity behind it, there are the Y. M. C. A., Y. W. C. A., Seva Sadan, League of Mercy, Social Purity Committee, the Women's Council, the Servants of India Society and Children's Protection Societies, all interested in the problem. The suggestion has been made that these various bodies should be coordinated in a Vigilance Committee and perhaps allocated definite public duties. We commend the suggestion to the bodies themselves. A deliberate recommendation from a body of this description might carry more weight and their statements receive a wider bearing than if they emanated from relatively small and purely denominational bodies. On the practical side the advantages of denominational work in its special application to different castes and creeds is undeniable but co-ordination has again obvious advantages.

22. *Additional and Women Police.*—The enlistment of women police to save the faltering, rescue the unconfirmed, protect from ill-treatment the confirmed prostitute and generally to help in the administration of the reform we advocate, is a proposal favoured by all the witnesses we have consulted on the point. The extreme difficulty of recruiting women of the necessary education and character and the arduous conditions in which they would work are likely to make the experiment a fairly expensive one. Our recommendation is necessarily affected by the proposal now mooted to abolish women police in England where the atmosphere and conditions of work are so much more favourable and where we understand they have been found extremely successful after considerable experience. We ourselves are suffering from financial difficulties, we have our own Retrenchment Committee and expenditure on police is peculiarly unpopular. The proposal is, moreover, one which must have been considered and rejected by Government in the past. Our recommendation is therefore that judgment should be suspended till more experience has been gained by the efforts of voluntary organisations. The enlistment of additional police is provided for by the existing law and we contemplate that persons recommended by such voluntary associations should be given powers of instituting prosecutions, making arrests, searching places reasonably be-

lieved to be brothels and the like, if such powers are desired by the Associations. Provided a suitable number of such police were obtained it might be possible to exclude the offences committed by prostitutes from the purview of the regular police. The administration of the laws in relation to this unfortunate class is subject to abuse in all countries. A responsibility lies upon the public to provide funds for these beneficent activities which should not be confined to women. We were impressed by the evidence of Mr. Micklethwaite of the Salvation Army, made from personal experience, that one half of the male frequenters of brothels could be deterred if approached in the right way and at the right time and place. If comparison were possible it would be interesting to know how these efforts compare in result with those of the military police made at a vastly greater cost.

23. *Rescue Homes.*—We have heard considerable testimony to the activity of the police in the exercise of their existing powers of preventing the introduction of girls under 16 into brothels and reclaiming stranded women and unwilling recruits of 16 and over. These girls and women are sent back to their relatives or guardians if any can be traced, otherwise they are placed in a Home. Considerable difficulty is found in disposing of young girls who are likely to suffer from contact with confirmed prostitutes. The Salvation Army draws no distinction of persons but the inadequacy of their accommodation and the consequent impossibility of separating the novice from the abandoned woman makes it occasionally necessary to refuse admissions. The existing accommodation is very limited. Apart from that available for children, there are available:—

- (1) A Home newly established in Mahim Woods by the Presidency Women's Council, at present housing two women, and with accommodation for fifteen.
- (2) A shelter of the League of Mercy, with room for ten Europeans or Anglo-Indians, from which suitable cases are sent to a Home at Bangalore up to the number of thirteen.
- (3) The Salvation Army Rescue Home with room for twenty women, and at present containing ten women and two children.

The separation of the "preservation" cases from the novice and the novice from the hardened prostitute is essential, but no Society is in a position to do this. Government appear to make no grants for rescue work at present and we agree with the Commissioner of Police that it would be outside the province of a Government Officer to take an official share in the work of the Homes. But whether or not the Salvation Army or any similar organisation is willing to accept any responsibility for the women dishoused by the legislation we propose, Government will have to provide land and funds for the erection of temporary buildings and the maintenance of the women. Further consideration of the question may wait on the experience gained during this period of adjustment. We need scarcely point out the better prospect of permanent success from voluntary organisations of the right stamp in work in which the moral factor is so paramount, particularly in the important branch of "aftercare". In their world-wide experience the Salvation Army have found that three-quarters of the women received in their homes are permanently saved from prostitution, only one quarter relapsing, and the Matron of the Bombay Home stated that these percentages would be found approximately correct for Bombay.

24. *Detention in Homes.*—The great difficulty with which Rescue Homes have to contend is the prostitute's inborn or acquired laziness, in consequence of which she can seldom be induced willingly to work in a Home. It has accordingly

been suggested that powers of detention should be given, especially if a suitable Home is provided. Experience has proved the impossibility of treating prostitution as a crime in itself, but a prostitute convicted of any offence connected with her calling, such as repeated solicitation or brothel-keeping, should be detained in a rescue home rather than in a prison. We contemplate either action under section 401 of the Criminal Procedure Code, or better, the empowering of magistrates to pass direct sentences of detention in certified homes. When this is done, the need of increasing the penalty for offences like solicitation in terms of fine and imprisonment will disappear.

25 *Education*.—There is one direction in which the co-operation of Government may be necessary in assisting the education of the public in these matters. We refer to the debated subject of sex instruction in schools. We think sex instruction should be given by carefully selected and specially trained teachers to older children, and that a simple and cheap text book might be prepared for the use of parents and teachers explaining how instruction should be given.

26. *Recapitulation*.—In conclusion we summarise our recommendations, first noting in contrast to them the principal alternatives which we have rejected.

On the side of hygiene, we do not recommend compulsory notification or compulsory treatment of venereal diseases, until the fullest opportunities for voluntary treatment have been given and proved to be ineffective for combating these diseases. On the side of morality, we do not recommend that the profession of a prostitute should be made penal, nor the act of fornication a crime. We recognise that there would be no problem of prostitution if the great mass of public opinion condemned fornication. But such public opinion is at present lacking in India and could only be formed by religious and moral influences acting on individuals. It cannot be formed, and probably cannot be usually reinforced, by such legislation as we have just referred to. The suggestion of State regulation, advanced mainly on hygienic grounds, we have rejected because the hygienic case for it is not convincing and the moral case against it is overwhelming. State regulation makes prostitution appear to be a respectable profession. We do not believe that many people think that it is so. But State regulation also makes the traffic in vice appear to be a respectable trade. We believe that hardly any one thinks

that it is so. The State must at least stand for humanity, and the traffic in prostitutes is one of the most inhuman trades in the world. So far from countenancing this trade by regulation, the State ought to use its authority and force to suppress it, and in so doing we believe it can obtain adequate support from public opinion. Our main recommendation is therefore that an Act should be introduced closely modelled on Burma Act II of 1921. We are in favour of the introduction of whipping as the most effective punishment in cases of this nature. These proposals are shown in detail in an appendix.\* We are in favour of the ordinary police enforcing the suppression of brothels and procuring unless a sufficiently strong body of police can be obtained by the social service organisations and enlisted as additional police. In order that the police may not be overwhelmed by a sudden dishousing of women, the Act should be enforced as gradually as may be found necessary, foreign prostitutes being sent away to their own countries and provided with passages and the necessary apparel under the existing regulations. We understand from our witnesses that the present powers of Government over the undesirable alien have been found adequate and that no counterpart of the clause in the Burma Act which aims at facilitating the deportation of non-Indian British subjects is required.

To provide for the dishoused women and still more to enable the police to deal expeditiously with prostitutes and to enable detention in homes to be substituted for other punishments where women are concerned in sexual offences, we advocate the provisions of shelters in Bombay and Homes near at hand to which women can be sent and kept under detention and discipline by voluntary organisations.

To decrease the evil of venereal disease, provision of adequate medical arrangements of all kinds should be made at the expense of Government and of the Municipality and secondarily of public benefactors.

At the same time we think that a campaign of publicity and of moral and hygienic education should be seriously undertaken by voluntary bodies, if necessary supported by public funds, among the general population. If this proceeds hand in hand with the abolition of brothels which we recommend, we have no fear that this measure will give rise to any serious difficulties or opposition or that Bombay will ever wish to revert to a system of segregation.

## APPENDIX B.

### NUMBER OF PROSTITUTES IN BOMBAY.

The Commissioner of Police's figures (all being within the segregated area) are as under:—

<i>Japanese</i>			
34 brothels containing	...	...	80 Japanese
<i>Other Foreigners—</i>			
20 brothels containing	...	...	28 Europeans
			23 Eurasians & Indians
			5 Mauritians
			33 Baghdadi Jewesses
<i>Indian—</i>			
831 brothels containing	...	...	5,000 Indians
Total ... 885 brothels containing	...	...	5,169 Prostitutes.

The Census figures are (March 1921):—

<i>Hindus—</i>			
Mahars and Dheds	...	...	890
Marahs and Kunbis	...	...	712
Other Hindu castes	...	...	728
<i>Musalmans</i>	...	...	518
<i>Parses</i>	...	...	6
<i>Christians—</i>			
Indian Christians	...	...	64
Anglo-Indian	...	...	17
English	...	...	1
French	...	...	5
Russian	...	...	1
<i>Jews</i>	...	...	8
<i>Buddhists—</i>			
Japanese	...	...	45
Chinese	...	...	5



APPENDIX C.

THE BIRTH-PLACES OF PROSTITUTES AND DEPENDANTS AS SHOWN IN THE CENSUS OF 1921, AND PRECIS OF THE PROVINCIAL SUPERINTENDENT OF CENSUS' REMARKS.

Birth-places.	Prostitutes.	Female dependants.
Bombay City	460	44
Gujarat and Thana (British Districts)	72	...
Deccan (British Districts)	827	127
Karnatac	71	...
Kolaba and Kaurra	99	14
Ratnagiri	306	38
Sind, Kutch and Kathiawar	74	10
Kolhapur	50	8
Savantvadi	14	84
Madras, Mysore and Cochin	16	...
Hyderabad State	183	26
Central India, Bengal and United Provinces	58	1
Rajputana (especially Jodhpore)	88	6
Delhi and Panjab	88	3
Burma	1	...
Kashmir	41	...
Goa	510	225
Arabia, Mesopotamia and Egypt...	80	1
China...	5	...
Japan...	45	...
England	1	...
France...	5	...
Russia	1	...
	2,995	

These are the birth-places of all the women who gave their profession as prostitution at the last census. A proportion of 84 female dependants born in Savantvadi to 14 prostitutes born in Savantvadi and of 225 female dependants born in Goa to 510 prostitutes born in Goa points to an organised importation of girls from those places. If the prostitutes were bearing children in Bombay their birth-place would be shown as Bombay, not as Goa and Savantvadi. The high figures for Goa combined with a return of 187 male brothel-keepers and their dependants born at Goa out of a total of 489 now living in Bombay are most marked. The presence of 25 prostitutes from one small and distant place like Jodhpur suggests organised procuring from that city. The figures for Kashmir and Hyderabad Deccan are also remarkable.

APPENDIX D.

INCIDENCE OF VENEREAL DISEASE.

The Department of Statistics, India, give in their report on Public Health for 1921 the following figures, for all hospitals and dispensaries in the City and Island. To these should be added a large percentage of the deaths from miscarriage, still-births, and deaths in early infancy which are abnormally high in Bombay :—

	Average for the triennium 1915-17.	1918.	1919.
Deaths from gonorrhoea	8	8	7
Deaths from syphilis	36	43	50
Total deaths from venereal disease	44	46	57
Cases of gonorrhoea treated	18,749	17,154	21,428
Cases of syphilis treated	49,061	39,154	45,610
Total cases of venereal disease treated	67,810	56,308	67,038

The League for Combating Venereal Disease has lately taken a census of E ward which contains some of the biggest hospitals and a large part of the segregated area. Figures were obtained from private practitioners but are of doubtful reliability. All the patients attending the hospitals were examined with their permission with the following results :—

1 Hospital.	2 Period of Test.	3 Number of patients.	4 Percentage who came for treatment of active venereal disease.	5 Percentage who came for other diseases but showed signs of old venereal disease.	6 Percentage of whole venereally infected.
J. J. Hospital (indoor patients)	Nov. 1917 to April 1921	...	9%	9.7%	18.7%
Dr. Masina's Hospital (95 per cent high class patients who would not come here ordinarily for venereal disease).	...	1,000	5.3%	1.1%	6.4%
J. J. Hospital (outdoor patients)	30th Sept. 1921 till 28th Nov. 1921.	3,146 fresh cases	450 or 18.1%	569 or 16.7%	29.8%
Municipal Dispensary, Bellasis Road	29th Nov. 1921 till 31st Dec. 1921.	293 fresh cases	3.8%	26.9%	30.7%
Municipal Dispensary, No. 8 Foras Road	3rd Jan. 1922 till 13th Jan. 1922.	56	7.1%	19.6%	26.7%
Motlibai Women's Department (outdoor)	29th Nov. 1921 till 3rd Jan. 1922.	137	23%	5.1%	28.1%
Motlibai Children's Department (outdoor)	29th Nov. 1921 till 3rd Jan. 1922.	98	...	...	18.3% of congenital syphilis.

## APPENDIX E.

## LEGISLATION PROPOSED.

I. *Bombay City Police Act IV. of 1902.*

(a) The punishment under section 120 for solicitation to be enhanced to six months or a fine of one hundred rupees or whipping in the case of males.

(b) The punishment of whipping to be added to section 126A (1) in the case of males.

II. *Burma Act II of 1921.*

The following sections to be adopted :—

Section 2 defining "brothel".

Section 6 enabling a magistrate to prohibit the residence of prostitutes in houses on complaint.

Section 7 prescribing punishment for male persons who live on the earnings of a prostitute (to be adopted in respect of persons of both sexes.)

Section 8 prescribing punishment for procuring, males only being liable to whipping.

Section 9 prescribing punishment for importing women for prostitution, males only being liable to whipping.

Sections 11 and 12 prescribing punishment for keeping a brothel or allowing premises to be used as a brothel.

Section 13 giving powers of determining leases of premises in respect of which convictions for brothel-keeping have been recorded.

Section 15 empowering police officers to enter premises without warrant in which they have reason to believe that certain offences are being committed.

## MINUTE OF DISSENT.

We regret that we are unable to agree with the proposals made by the majority of the Committee. The report appears to us to state very fairly the facts as they at present exist; but the conclusions deduced therefrom and the recommendations made are in our opinion incorrect. In paragraph 20 of the report it is admitted that public opinion in India has tolerated the existence of hereditary prostitution and that there is no strong body of opinion prepared to support action taken for the abolition of brothels. Until that moral sense is created and there exists among all sections of the inhabitants of Bombay a definite recognition of the fact that prostitution is undesirable and that every effort must be made to reduce its volume, it appears to us that it would be the height of folly to attempt its abolition by legislation. Many years must pass before public opinion can be educated to hold the view suggested, and for the present the work of such education is probably the most important duty of Government and the better class of citizens in Bombay.

In view of the general toleration of prostitution in India we should have been prepared to support proposals for recognising and regulating the traffic, but the medical evidence which has been brought before us has convinced us that for the present at least the weekly medical examination of all prostitutes by official agency is impracticable. In the European and better class brothels such medical examination is already voluntarily arranged for and in this class of houses there is no serious complaint as to the ill-treatment of the inmates. Therefore while educating public opinion—a matter which must take years and probably generations—the object of Government should be to produce in all classes of brothels conditions similar to those already prevailing in brothels of the better class. To make all brothels illegal as proposed would, we are of opinion, make conditions worse than at present and increase the number of clandestine prostitutes *viz.*, women who are at present carrying on the trade secretly and who are far more dangerous and difficult to deal with. By scattering the women over all parts of the city and making it necessary for them to solicit customers on public streets, not only would the danger of disease be augmented but the lot of the women themselves would be made even harder than it is at present. The result would be that if the law was at all strictly enforced, individual women would occupy rooms in company with persons who were nominally husbands and would bring their customers to those rooms. The evils of intimidation, bullying and want would be increased rather than lessened, as control of any kind would be impossible. The public seeing that as a result of the action taken by Government, vice instead of being confined to particular quarters of the town was allowed to flaunt itself in the main streets, would at once draw the inference that the object of Govern-

ment was not to abolish the evil but to popularise it. Even with the strict regulations and excellent police force of London it is notorious that it is even now impossible to walk at night down any of its principal streets without meeting women of easy virtue, and though they may not dare to accost a stranger openly, still they do not hesitate to solicit him either in a whisper or, if a police man happens to be very near, with their eyes. In Bombay the enforcement of the law would certainly be much less effective.

We admit that measures to remedy the existing state of affairs are necessary but consider that the process must of necessity be gradual and that even if the ultimate object aimed to be complete abolition of brothels, immediate action can only be taken on some such lines as the following :—

Segregation in a definite area should continue as at present but the brothels should be confined to the back streets and those which exist upon the principal streets should be closed. A Vigilance Committee consisting mainly of non-official citizens of all castes and creeds should be established to supervise operations, which should continue to be conducted by means of specially authorised officers of the Police. The Vigilance Committee might be furnished with its own agents for inspection purposes. Beginning with the lowest class of brothels, efforts should be made (1) to eliminate the male pimp, (2) to secure voluntary medical examination of the inmates at least weekly, and (3) to see that the inmates are reasonably treated and have the option of leaving the brothels whenever they wish. We believe that as a matter of practice the existing powers of the Police are adequate for the purpose but if they in practice prove not to be so, the police might be given definite powers to prohibit with the sanction of the Vigilance Committee the use of any premises for purposes of prostitution. It is possible that these measures might result in a considerable enhancement of the fees charged by prostitutes, but this would be a step in a right direction rather than the reverse, provided the enhancement was not so great as to drive all the women from the lower class brothels on to the streets. The result of the measures we suggest would, we think, be rapid diminution in the number of brothels and if they are combined with systematic attempts to educate public opinion and to provide homes and employment for those who can be persuaded to abandon the profession, there would, we think, in 15 to 20 years' time, be some chance of its being feasible to adopt the measure of abolition suggested in the Committee's report.

H. B. CLAYTON, I. C. S.

F. McLENNAN, COL., R. A. M. C.

W. C. HOLMAN,

I agree generally with the views expressed by Mr. Clayton except that I do not approve of regulation.

JERBANOO MISTRAL, L. M. & S.



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\* The sentence referred to in paragraph 20 of the Report was modified before the Report was finally agreed to. It originally ran:—

“It must be admitted that the attitude of the great majority of Bombay citizens is one of acquiescence in the continuance of prostitution untrammelled and unrepressed.”

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*Please paste this at the end of the Report of the Prostitution Committee  
on page 10.*

JAMSETJEE JEJEEBH

E. J. PALMER.

C. FERNANDEZ.

E. TURNER WATTS.

FAIZ B. TYABJI.

KANJI DWARKADAS.

STANLEY R. EWENS.

K. NATRAJAN.

R. M. GRAY.

19th April 1922.

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I approve of the whole report except:

1. Much more is done than is here stated for the rescue of fallen women by individual effort, and I think this means is most effectual;
2. I think that what is said about education in sex matters must be taken with the greatest caution. I entirely disapprove of anything like a public campaign of instruction, or of any attempt to interfere with or substitute for the duty of parents and guardians in this direction.

A. GOODIER, S.J.

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I am in entire agreement with the report except as to the definition of a "brothel" as stated in paragraph 15. I think that definition is too wide. In my opinion a brothel means a house, room or place kept or used by some person for profit or gain in which females are kept or to which they resort for the purpose of prostitution. Such a place is responsible for the commercialisation of vice and requires to be suppressed. As to the enforcement of the abolition I think that action should be first taken not only against "sanitarily most degraded brothels" but also against those situated near schools, liquor shops and in crowded localities even if their sanitation is satisfactory.

S. G. VELINKAR.