



# SEXTORTION

**GENDERED  
CORRUPTION**  
IN THE CONTEXT OF  
GAUTENG, SOUTH AFRICA

Overview and Key Findings

**Published by the**  
Deutsche Gesellschaft für  
Internationale Zusammenarbeit (GIZ) GmbH

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**As at**  
May, 2023

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## LIST OF ABBREVIATIONS

### CECA

Botswana Convention on the  
Elimination of Corruption Act

### CEDAW

The Convention on the  
Elimination of All Forms of  
Violence Against Women

### CSO

Civil Society Organisation

### DHA

Department of Home Affairs

### GBV

Gender Based Violence

### IAWJ

The International Association  
of Women Judges

### ICPA

Nigerian Independent  
Corrupt Practices and Other  
Related Offences Act

### LGBTQIA

Lesbian, Gay, Bisexual,  
Transgender, Queer, Intersex  
and Agender

### NACS

National Anti-Corruption  
Strategy

### PCAA

Tanzania Prevention of  
Corrupt Activities Act

### PRECCA

Prevention and Combating of  
Corrupt Activities Act 12 of  
2004

### SADC

Southern Africa Development  
Community

### SORMA

Sexual Offences and related  
Matters Amendment Act 32  
of 2007

### TFSV

Technology Facilitated Sexual  
Violence

### TIP

Transparency, Integrity and  
Accountability Programme

### UNCAC

United Nations Convention  
Against Corruption

### UN

United Nations

## GLOSSARY OF TERMS

### Cyber Sextortion

A technology facilitated threat to distribute intimate, sexual  
materials unless the victim complies with certain demands.

### Sextortion

‘[A] form of sexual exploitation and corruption that occurs  
when people in positions of authority whether government  
officials, judges, educators, law enforcement personnel,  
or employers seek to extort sexual favours in exchange for  
something within their power to grant or withhold. In effect,  
sextortion is a form of corruption in which sex, rather than  
money, is the currency of the bribe’



# 1. STUDY OVERVIEW

## Background and Motivation

There is consensus that corruption affects vulnerable groups the hardest, especially women and members of the LGBTQIA community (Elden, Clavo, Bjarnegrad, Lundgren & Jonsson, 2020; France, 2022). In addition, it disproportionately affects those living in poverty and leaves them more exposed (Corruption Watch 2020). Corruption also hinders progress toward gender equality and presents a barrier, especially for women and vulnerable groups, to gain full access to their civic, social and economic rights, often stemming from existing patriarchal gender stereotypes and norms.

A particular form of corruption is sextortion, which is the abuse of power to obtain a sexual benefit or advantage.

The International Association of Women Judges define sextortion as:

*‘A form of sexual exploitation and corruption that occurs when people in positions of authority, whether government officials, judges, educators, law enforcement personnel, or employers seek to extort sexual favours in exchange for something within their power to grant or withhold. In effect, sextortion is a form of corruption in which sex, rather than money, is the currency of the bribe.’*

(IAWJ)

The Prevention and Combating of Corrupt Activities Act of 2004 (PRECCA) does not explicitly refer to sex, sexual favours or sextortion as a form of “gratification” that would qualify it for corruption, but it also does not require money to be exchanged for an act to be considered corruption. Theoretically, sextortion could and should be prosecuted under PRECCA. The question is whether the offence is explicit enough to name it corruption because no money is exchanged. During its inception phase, the GIZ Transparency, Integrity and Accountability Programme (TIP) put significant effort into analysing its operational environment within the nexus of corruption, human rights and gender. A reoccurring theme of this analysis was the negative societal impact sextortion has as a form of corruption in South Africa. Yet, it became apparent that while there is much anecdotal evidence, **the subject lacks quantitative data**. Such data could assist in raising awareness and promoting educative programmes as well as inputs on policy and the legal frameworks.

## Problem Statement

Sextortion is not a new phenomenon in the world, yet less efforts have been taken to address its repercussions through legislative and preventive machinery. For instance, **in South Africa, the various legislative frameworks do not mention the word sextortion**. This means it will remain continuously difficult to prosecute sextortion as a criminal offence in South Africa. Furthermore, if the current legislative framework on corruption is not reviewed, **victims of sextortion may be considered willing participants and retraumatised by the justice system**.

Although there is research relating to the topic of sextortion in South Africa, **there is still a paucity of empirical evidence concerning the factors that contribute to sextortion, its manifestation, as well as vulnerable areas or sectors**. Furthermore, the perceptions and opinions of the citizenry on the topic of sextortion in the context of South Africa has not yet been widely researched.

This research has sought to analyse legislative frameworks as it relates to sexual offences or corruption and investigate the perceptions and opinions of the citizenry of the topic of sextortion in Gauteng Province, South Africa.

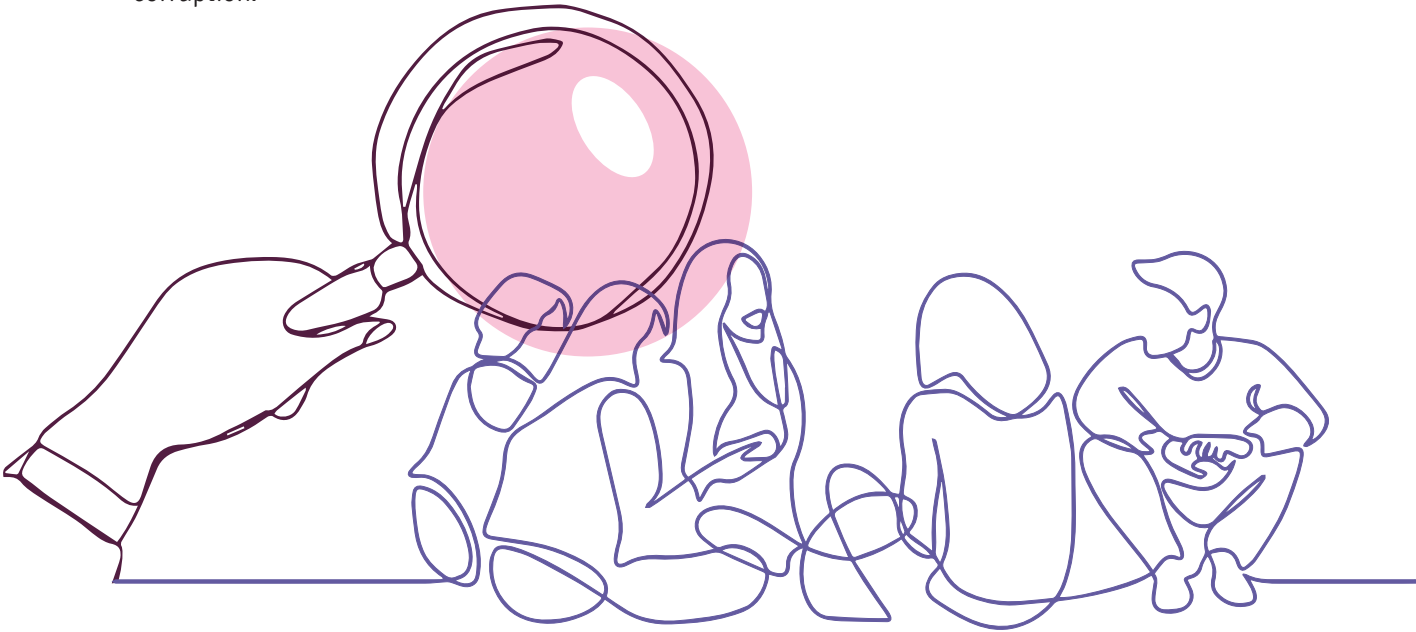
## Research Objectives

**A** Provide analysis and comparison of legal frameworks addressing sextortion between South Africa and Botswana, Nigeria and Tanzania to determine whether the current legislation is sufficient to both recognise and prosecute sextortion or if there is a need to introduce amendments that make sextortion a specific offence.

**B** Provide verifiable data on the nature and occurrence of sextortion across private, governmental and civil society sectors as a manifestation of corruption.

**C** Provide a political and sociological interpretation and analysis of the acquired data, focusing on what the data shows concerning **the causes and manifestations of sextortion** as a form of corruption.

**D** Identify and analyse vulnerable areas/sectors where sextortion occurs and the contributing factors in these areas/sectors.



## Research Design and Methodology

### Design

This study employed a **concurrent mixed-methods design**. Data collection made use of key informant interviews, document analysis of existing literature, and a survey questionnaire.

### Data Collection



**Qualitative data** was collected using **semi-structured interviews with key informants**.



**Quantitative data** was collected using an **online survey questionnaire** which was developed from the literature. The questionnaire consisted of **37 items**.



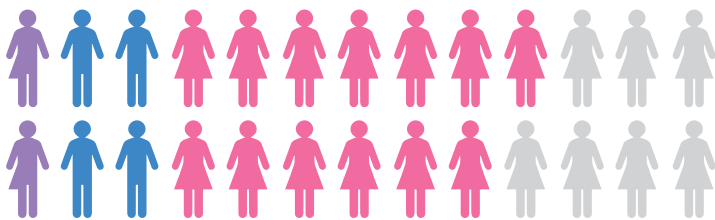
Sample

**Key Informants**  
Key informants were purposively sampled from diverse sectors. In addition, snowball sampling was utilised. **19 key informants were selected from different sectors** as outlined below:

	Sector	Organisation
Government	DPME Home Affairs Education Police	National National Undisclosed Police Head Office
Civil Society Organisations	Sex Work Gender Refugee Religious	SWEAT Sonke Gender Justice   Women for Change   Matrix Men CORMSA   Corruption Watch DOXA DEO Church
Independent	LGBTQIA Sex Work Education	2 x Independent Expert Ex-Sex Worker SA Council for Educators
Private	Insurance Legal Retail Info, Comms & Tech Security	Undisclosed Lawyer Builders Warehouse Mintek Private Security Company

**19** key informants interviewed

**13** Females  
**4** Males  
**2** Gender non-conforming



Survey

The survey was distributed through the networks of the key informants who participated in this study and those identified by Health Focus South Africa and their networks. The respondents for the survey were selected through the use of proportional quota sampling. The sample for the survey questionnaire consisted of **128 respondents drawn from the Gauteng Province**.

**128** respondents drawn from the Gauteng Province

- Data analysis**
- Qualitative data was analysed using **thematic content analysis** developed by Braun and Clarke (2006).
  - Quantitative data was analysed using **Data Tab Online Statistical Software**. Cronbach’s Alpha was used to measure the reliability and Cohen Kappa for interrater reliability.
- Ethics**
- The research protocol and tools were submitted to an **independent ethics board**: The Institute of Public Affairs and Governance, who **provided ethical clearance** for this study.

This study was **confined to Gauteng**, South Africa with specific focus on the victims of sextortion, causes and manifestation of sextortion, factors contributing to sextortion and vulnerable sectors.

The study was conducted within **only four months** which suggests that not all sectors within the Gauteng Province could be explored in relation to the subject of sextortion.

Although the study used both qualitative and quantitative research methods, **the sample was not representative of the population of Gauteng Province** which suggest that the findings of the study cannot be generalised beyond the population studied. However, it must be pointed out that the findings of the study could be transferred to other similar settings

The study **did not focus on a specific sector** within Gauteng to explore the extent of sextortion.

It was not within the bounds of this study to determine the prevalence of sextortion among adolescents. **Only those of 18 years and up** were considered for the study.

It was also **not the aim to understand how institutions respond to sextortion incidents** as there are no clear-cut policies and legislation on the subject matter in South Africa.

## 2. OVERVIEW OF THE LITERATURE

A detailed and comprehensive literature review was completed reviewing latest research, evidence and data internationally, regionally and locally. The literature highlighted that **sextortion is a form of corruption where a person abuses a position of authority in order to coerce sexual acts from a person subject to that authority** (Feigenblatt, 2020). Sextortion is notable as a form of corruption in that it differs significantly from traditional conceptions of corruption, which characterise it almost exclusively in terms of money and material goods (Duri, 2020).

Increasingly there is an awareness of sextortion as a global phenomenon, and a source of significant distress for individuals who experience this form of victimisation (Bicker Caarten et al., 2022; Eldén et al., 2020; Van Heugten et al., 2021). Literature revealed that **women are disproportionately targeted** by this form of corruption; though men, transgender, and gender non-conforming individuals may also be targeted (Feigenblatt, 2020). The nature of sextortion is such that **those victimised are often made to feel powerless** relative to the people extorting them, which has negative implications for their health and mental functioning. It also contributes to the under-reporting of this form of corruption, as **victims feel that there will be no consequences** for those who abuse their positions of authority in this manner (Feigenblatt, 2020). In addition, **a lack of awareness of the existence of sextortion or how it is defined, combined with public perceptions relating to sexual abuse and corruption have resulted in cases of sextortion often being inadequately handled by existing legal frameworks**. Sextortion is not only a corrupt act but another form of gender-based violence which violates the basic human rights of victims.

Cyber-sextortion is often confused with sextortion. However, **cyber-sextortion must be differentiated from sextortion because in the case of cyber-sextortion:**

- **The victims and perpetrators interact online**, which suggest that there is **no physical contact** or interaction. The perpetrator threatens to expose or distribute sexually explicit images and videos of the targeted victim if the victim does not meet certain demands.
- **there is no corruption component** in that the perpetrator is not normally in a position of authority that is entrusted to them by an organisation.
- **the currency is predominantly money**, whereas with sextortion the currency is sexual favours.
- In many ways cyber-sextortion is not true sextortion, because it does not have both the sexual component and the corruption component. It is rather a form of extortion that constitutes a cybercrime.

The main challenge with cyber-sextortion has to do with jurisdiction especially when the aggressor resides in another country. At the same time, another common challenge pertaining to cyber-sextortion is that its perpetrators are not easily identifiable.

**Common sextortion can occur as oppressive or opportunistic.** With oppressive sextortion, perpetrators abuse the entrusted authority to demand sex from their targets before rendering a service to which their targets are rightfully entitled. In the case of opportunistic sextortion, perpetrators are persons who abuse their positions of authority to demand sexual favours from the vulnerable, uninformed and helpless in society. These two forms of sextortion are indicative of the callousness of perpetrators as well as the extent to which sextortion encroaches on the dignity of its victims. Although vulnerability and greed create an opportunity for sextortion to flourish, it must be noted that the **patriarchal social norms and values play a role in perpetuating it**.

**Literature has shown that sextortion occurs across a variety of sectors.** For example, sextortion was found to be prevalent in the employment sector where unsuspecting job applicants are pressurised to offer sexual favours to perpetrators before they could be appointed to positions. Also, educators in the education sector demand sexual favours from learners in



**Sextortion is not only a corrupt act but another form of gender-based violence which violates the basic human rights of victims.**

order to give them improved grades. In the safety and security sector, policemen demand sexual favours from sex workers so that they could allow them to go without arrest, while in the immigration sector the victims who happen to be migrants or refugees are subjected to sextortion to be granted legal asylum status in a receiving country.

Unfortunately, as is the case with other forms of gender-based violence, **the literature found that most of the victims of sextortion are women, young girls and people who identify as females as well as the LGBTQIA community**. Although men do experience sextortion as victims, **literature has shown that men are the main perpetrators. This was attributed to societal norms and values as well as the structural power imbalances that prevail in society**. The governments of different countries including South Africa need to introduce policies and legislation that will respond decisively to the significant challenges presented by the sextortion.

## 3. COMPARATIVE ANALYSIS OF LEGAL FRAMEWORKS

A comparative analysis of the legal frameworks was conducted between South Africa, Botswana, Nigeria and Tanzania. The International Association of Women Judges (IAWJ), the Philippine Women Judges Association and the Tanzania Women Judges Association published a toolkit aimed at shining the light on sextortion as a form of corruption and providing countries with the means with which to combat sextortion in their respective jurisdictions (IAWJ, 2012). A key tenet from this, is that **sextortion is distinguishable from other types of sexually abusive conduct by the fact that it needs both a sexual component and a corruption component**. Therefore, in order to call something sextortion, it must contain both these components. Anything short does not amount to sextortion (IAWJ, 2012). **This is one of the key reasons why sextortion is best placed under corruption legislation rather than sexual offences acts**.

South Africa, Botswana, Nigeria and Tanzania each have anti-corruption legislation which can be read to address sextortion. South Africa's anti-corruption legislation is the Prevention of Corruption and Corrupt Activities Act, 2004 (South Africa's PRECCA). The Nigerian counterpart is the Independent Corrupt Practices and Other Related Offences Act 5 of 2005 (Nigeria's ICPA). Botswana has the Corruption and Economic Crime Act 13 of 1994 (Botswana's CECA) and Tanzania, the Prevention of Corrupt Activities Act, Chapter 329 (Tanzania's CPAA). South Africa, Botswana and Nigeria have provisions in their anti-corruption legislation which are similarly phrased and can address sextortion when interpreted accordingly. Tanzania, however, has taken a different approach by criminalizing sextortion directly under the heading of sexual extortion.

Compared to **Botswana and Nigeria**, **South Africa** has better prospects at addressing sextortion under its current **anti-corruption framework**, but it **still falls short in that it is unable to adequately protect victims by treating them the same as the perpetrator**. This makes the victim susceptible to criminal prosecution. The consequence of not differentiating between the perpetrator and the victim is that **it takes power away from the victim by limiting or even removing the option of legal protection**. The threat of criminal sanctions to the victim may embolden perpetrators to continue abusing their power and give them a further weapon with which to threaten the victim. Sextortion already carries with it great challenges such as being difficult to prove, subject to social stigma and traumatic for the victim. The prospects of facing criminal prosecution should the victim seek to vindicate themselves, makes justice even more untenable.

**The Tanzanian legislation and approach is the most preferable to all the countries compared because it recognises sextortion as a specific crime and differentiates the victim and perpetrator.**

It is clear that the provision in Tanzania's PCAA was drafted with a clear understanding of what sextortion is. The other countries may address sextortion through interpretation of existing provisions in their anti-corruption legislation but there remains serious gaps which may end up doing more harm than good. It is recommended that South Africa should follow the Tanzanian approach and amend the PRECCA to include an offence specific to sextortion.





## 4. KEY STUDY FINDINGS

Based on the empirical findings emanating from this study is it clear that sextortion is prevalent across the various sectors studied in Gauteng, South Africa. The findings of this study have also shown that **much is not known about sextortion and individuals are not always aware of the process and procedures for reporting sextortion**. There are still major **impediments relating to reporting incidents of sextortion particularly in workplaces**. This is attributable to the degree of power that perpetrators of sextortion wield in different institutions. **Black females remain the main targets of sextortion especially young females between the age of 18 and 30 years**. Sextortion manifests through requests for sexual favours from unsuspecting beneficiaries of basic services while some perpetrators abuse their authority to appoint or employ people to positions in exchange for sexual favours. Whichever way sextortion manifests itself in society, it should be seen and interpreted as another form of corruption.

The study has also found that **socio-economic factors contributed significantly to incidents of sextortion**. Among other key factors, **poverty and unemployment were found to be the key contributing socio-economic factors**. These two factors render unsuspecting victims extremely vulnerable to perpetrators who are in positions of authority, particularly when the victim does not know their rights or is unable to exercise their rights due to their state of vulnerability. This is exacerbated by the power imbalances between victims and perpetrators. In addition, **a lack of accountability of perpetrators in higher positions, also exacerbates the situation**. Dealing with the issues raised above could be difficult without enhancing and ensuring appropriate application of ethical standards and codes of conduct in different spheres of the society.

The study identified that **sextortion was found to be prominent in the formal and informal employment sectors, basic public service provision sectors and even the religious sector**. Although education and law enforcement sectors ranked lower in terms of prevalence of sextortion incidents, the study found that these sectors were also breeding grounds for sextortion cases.

Primarily, **study respondents suggested the following approaches for dealing with sextortion incidents**: The use of **an integrative approach**, provision of **psychological services**, setting up **clear reporting mechanisms** and **criminalising sextortion incidents** are among other approaches suggested to deal with sextortion cases successfully when they are reported.

**Sextortion is a form of corruption where a person abuses a position of authority in order to coerce sexual acts from a person subject to that authority.**

## 5. STUDY RECOMMENDATIONS



### Further research

- More research is required into the prevalence of sextortion within specific sectors and across South Africa.



### Criminalizing sextortion

- Sextortion needs to be seen as a form of corruption and addressed under corruption laws as this will better equip the legal and law enforcement sectors to address it.
- Adopting the approach used in the Tanzanian anti-corruption legislation is the most preferable because it recognises sextortion as a specific crime and differentiates the victim and perpetrator.



### Clear reporting mechanisms

- Developing clearer channels for reporting sextortion will be valuable for addressing it.
- Promoting policies and practices which protect people who report sextortion across all sectors is important.



### Raising public awareness about sextortion

- Raising awareness around sextortion may equip people to effectively address and resist acts of sextortion.
- Developing awareness campaigns and programmes and educating people on how to protect themselves and their communities from sextortion.
- Collaboration between awareness campaign organisers and government organisations may be useful for increasing the reach of these campaigns and promoting a consistent understanding of sextortion.
- Public officials and police officers should receive targeted awareness campaigns and training to ensure a clear and formal understanding of sextortion and protocols for managing cases of sextortion.
- With regard to cyber-sextortion, parents should be educated and encouraged to assist and supervise their children's use of digital technology in order to ensure that children are appropriately aware of risks relating sextortion and sexual imagery.



### Targeting specific sectors to prevent sextortion

- Targeting sectors with high incidents of sextortion will be useful for identifying and addressing sextortion, as this will allow efforts to focus on identified areas of concern without needing to develop potentially more costly interventions for broader society.



### Protecting vulnerable groups against sextortion

- Understanding which groups experience sextortion more often than others can be useful for setting priorities in addressing the issue of sextortion in an effective and responsive manner.
- Collaborating and educating influential or prominent figures within marginalised or subordinated communities may allow for the dissemination of information and development and reporting channels that allow members of elevated risk communities to learn about sextortion and access support for dealing with it.



### Psychological services for victims of sextortion

- It is important to provide adequate psychological support for people who have experienced sextortion in order to facilitate healing and recovery from the experience.
- It is important to ensure that support services available for addressing the psychological impact of sextortion have sufficient independence in the contexts where they operate to effectively support victims.



### An integrative approach

- Addressing the issue of sextortion needs to be understood using an integrative approach which highlights the magnitude of role players across different sectors.
- Activism that addresses sextortion should be explicit about the ways in which sextortion can affect a variety of different people and underscore the fact that all people have a role to play in addressing sextortion.
- Reporting mechanisms for addressing sextortion should be adapted to reduce the burden placed by present reporting mechanisms on victims of sextortion and on the SAPS.
- Collaboration between police and other organisations can improve quality of care for victims and facilitate efforts to address sextortion holistically.



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