

Profile of Survivors of Sexual Assault in a Tertiary Hospital of North Karnataka

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Abstract

Society free of crime is unimaginable. The incidence of sexual assault cases as well as reporting of such cases is on the rise after the 2012 Delhi gang rape case. The present study was conducted on 35 survivors of alleged sexual assault with the objectives to reveal their "socio demographic profile & medico legal consequences". The current study shows in most cases the accused were known to the victim. The victims may or may not have detectable physical injuries. There was great time lapse between the occurrence of the incident and reporting to police. In some cases even in consensual relationship complain of sexual assault comes into play when breach of trust results. This study may help to increase public awareness, which can increase reporting of incidents and to frame appropriate measures to diminish such events in society.

Keywords: Sexual assault; Rape; POCSO act; Survivor.

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Introduction

Sexual assault is most heinous and violent form of crime on women which causes violation of dignity of those women. It causes long lasting pain and

agony in the minds of survivors. Despite many stringent laws like POCSO ACT 2012 and criminal amendment law sexual assault on women still persists in society. Sexual assault on women may fill their lives with pain and terror from which their life becomes miserable. Reporting of such sexual assault cases is never an easy task for the survivor due to various social stigmas in our country¹. 7 out of 10 rapes are committed by someone known to the survivor².

Aims and objectives

To know socio demographic features of survivor of sexual assault.

To tabulate assault characters and positive evidence in survivors examined.

Methodology

This is four year retrospective study conducted by the department of Forensic Medicine and

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Toxicology at BLDE university's Shri BM Patil Medical College and Research Centre Vijayapura, Karnataka. The data required for the study was obtained from the reports issued by our department from January 2012 to December 2015. Permission from ethical committee of the institution obtained before starting the study. A female gynaecologist has helped us in cases registered under POCSO act. After proper consent being taken, the actual examination procedure comprising of history taking, general physical examination, and local genital examination was conducted. The survivors, if adult (above 18 years) the entire procedure of examination was explained to them and proper consent stating that result of examination may go for or against was obtained. In case of minor, the guardian accompanying the survivor was explained and proper consent was taken accordingly. The examination proper was carried out in front of female attendant. Meticulous history regarding the circumstance of assault, whether the perpetrators were known to the victim, whether she protested, whether she was intoxicated or drugged, were taken. Complete general examination including any injury (abrasion, bruise, cuts, tears, fresh bleeding) followed by local examination including perineum, vulva and condition of hymen was performed. Data were tabulated and percentages are calculated.

Inclusion criteria: All the survivors of sexual assault who consented for the general physical examination and genital examination.

Exclusion criteria: All the survivors of sexual assault who were not consented for examination were excluded from study.

Results

Total numbers of survivors examined were 35; year wise break up is shown in **Table 1**. Maximum numbers of cases were examined in the year 2014 (42.85%). Maximum cases (48.57%) of survivors were of less than 18 years of age. Maximum cases reported to examination after 36 hours of incident (54.28%). Most of the survivors had taken bath and changed clothes before examination (82.85%). 94.28% survivors were unmarried. 8.5% survivors were pregnant at the time of examination. 91.42% accused were known to victim. Maximum incidents (48.57%) took place in lodge. The positive evidence for sexual assault depicted in **Table 7**. Maximum survivors (51%) were students. On questioning 24 survivors have admitted of having consensual sexual intercourse (**Tables 1-10**).

Table 1: Year wise distribution

Year	No of cases examined
2012	2
2013	9
2014	15
2015	9
Total	35

Table 2: Age wise distribution

Age	Cases
<5	Nil
5-10	2
<18	17
>18	16
Total	35

Table 3: Reporting time after the said sexual assault

Within 24 hours	4
24 hours - 36 hours	5
After 36 hours and within 1 week	19
After 1 week	7
Total	35

Table 4: Taken bath and washed clothes

Taken bath and washed or changed clothes	29
Not Taken bath and not washed clothes	6

Table 5: Married and unmarried survivors

Married	2
Unmarried	33

Table 6: Positive urine pregnancy test

Urine pregnancy test positive	Urine pregnancy test negative
3	32

Table 7: Positive evidence of sexual assault

Contusion on the breast	1
Nail scratch abrasion on the back	1
Torn posterior fourchette	1
Spermatozoa visible on microscopic examination (Pathology Report)	1
Positive seminal evidence on clothes (Forensic Science Laboratory Report)	1
Old healed hymeneal tags	9

Table 8: Accused known or unknown to victim

Known	Unknown
Neighbour - 19	
Schoolmate - 05	
Relative - 08	
32	03

Table 9: Place of incidence

Survivors home	6
Accused home	4
Farm house	8
Lodge	17

Table 10: Occupation of victim

Occupation	Student	Manual labour	Skilled labour	Housewife
Number	18	8	7	2

Discussion

Despite the fact that rape is regarded heinous and criminal in nature, the number and the level of inhumanity of this crime has been on a rise. Be it in affluent or frugal, educated or non-educated contexts; or open or closed societies, this crime is on a rise.³

The rate of rape cases in India increased from 4.1 to 5.6% during 2011–13. The national capital Delhi has explosion in rape cases; it has increased from 7.3 to 18.7% even after made some legal improvements and where the unprecedented public protest and forced the political systems that to be made powerful act for rape.⁴

Our study too has got results in concordance to that. There was a rise in number of cases reported from 2012 to 2014.

Rawat Ramu *et al.* in their research paper got the results that showed that the trends of other rape cases are increased in all age group except age group 50 years and above during their study period (2004–13).⁴

We got the findings that in maximum cases that came the survivor were of age group above 10 yrs and less than 18 yrs followed by age group > 18 yrs.

Biradar G *et al.* also observed the similar results in regard to susceptible age group.¹¹ But sukul *et al.* found maximum survivors were in the age group between 18–30 years.¹²

Most of these survivors were students studying in schools or colleges and so had to go away from home on a daily basis and thus were regularly vulnerable.

Kumar Pal S *et al.* also in their study observed 48.57% survivors were students.¹

Apart from social and cultural factors, there are many other factors that are also associated with reporting the rape cases. Approximately 90% of the rape cases go unreported. The demographic factors play, a very important role in reporting the rape cases.⁵

It is already explored by the researchers that, demographic play is an important role, in reporting marital rape cases.⁶

In our findings on reporting the incident we found that a large number of the survivors take quite a lot of time before reporting the incident. Maximum cases reported to examination were after 36 hours of incident.

Also most of the survivors had already bathed and changed their clothes before coming to file a report.

We also gathered that out of the survivors who registered cases more than 90 percent were unmarried and only the rest few were married. Our findings matched with study done by Kumar Pal S *et al.* who found 77.14% survivors were unmarried and only 22.85% were married. Although this points out to the fact that unmarried women are more vulnerable to the rape but there might be a possibility that married women avoid reporting the cases more due to social stigma and to avoid tarnishing their names and destroying their married lives. 8.5% of the cases reported were pregnant survivors. Such is the cruelty of the committers of these crimes that they don't even consider the wellbeing of a child who is still unborn.

Table 7 shows majority of survivors had hymeneal tears which corroborated with findings of Sheryl saures.⁸

Table 9 shows that maximum incidents took place in isolated places like lodge which is in contrast with study conducted in Himachal Pradesh where the common place of incident was house of the victim or accused.^{9,10}

Half of the cases reported in our study occurred in lodges as they are safer and isolated places preferred by the committer of such crimes.

In our results we observed that more than 90% of time the accused was known to the survivors. In that too the accused was mostly found to be a neighbour followed by a relative.

Similar results were observed by Arif M *et al.*¹³

Kumar Pal S *et al.* in their study observed only 8.55% accused were known to survivors.¹

Rawat Ramu *et al.* in their research found that the trends of incest rape cases were consistently going up and down during their study period (2004–13) in age group 14–18 years. The numbers though increased from 116 in 2012 to 151 in 2013. The result also explains after 2011 incest rape cases are increased.²

Incest rape (rape by a relative) had remarkable increase in 2005 as compared to other selected years. However, the incest rape cases slightly decreased from 2006 to 2011 across selected years in India. (For age group 18–30).⁴

Furthermore, Incest rape cases radically increased last three years from 2011–2013.⁷

Conclusion

Sexual assault whatever form happens have always adverse impact on society. Crime of sexual assault shakes the foundation of the rule of law. We cannot reduce the incidences of sexual assault unless the public is literate enough to understand the consequences of the act. The government should try all the measures to increase the reporting and lodging a complaint against perpetrators of the crime. The time lapse between occurrence of the incident and reporting seems to be the major concern. The government should also see that justice prevails in society by punishing the perpetrator of crime of sexual assault.

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