

## ORIGINAL ARTICLE

# An Analysis of Demographics and Attributing events in Sexual Offence cases reported at One stop Centre – A Retrospective study

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## Abstract:

This retrospective study aims to analyze the demographic characteristics and event attributes of sexual assault survivors who sought assistance at One-Stop Center (OSC) in Visakhapatnam, India, between 2021 and 2022. The OSC, known as Sakhi, provides comprehensive medical, legal, and psychological support to women affected by sexual assault. The study collected relevant data from entry register including information on age, literacy, socioeconomic status, residence, relationship to the perpetrator, consent, time of reporting, and the sections under which the cases were registered. A total of 288 cases were analyzed, revealing significant findings regarding the demographics and characteristics of sexual assault survivors. The study found that the majority of survivors were above 25 years old, followed by those between 19 and 24 years old. The cases primarily involved literate individuals from low socio economic background with a higher prevalence of cases in urban areas. Intimate partners were identified as the primary perpetrators in most cases, while force or coercion was reported in 20% of incidents. The study provides valuable insights into the characteristics and patterns of sexual assault cases and emphasizes the need for targeted interventions to prevent sexual assault and support survivors based on their specific needs. These findings contribute to a better understanding of sexual assault dynamics and development of nationwide prevention strategies and support services for survivors.

**Keywords:** One stop centre; Sakhi; Sexual assault survivor; POCSO.

## Introduction:

In India, the one-stop center for sexual offences is commonly known as Sakhi. Sakhi stands for "Support, Advocacy, and Knowledge for Health Initiatives". It is a government-run initiative launched under the Nirbhaya Fund in 2015 to provide medical, legal, and psychological assistance to women who are survivors of sexual assault or domestic violence. These centers are also known as "Sakhi One Stop Centres" and are in various districts across the country. They aim to provide a safe and private space for survivors to receive all necessary support and assistance in one place.

A one-stop center (OSC) aims to provide integrated support and assistance to women affected by violence, including domestic violence, sexual assault, and other forms of gender-based violence. These centers are intended to be a single point of contact for survivors of violence seeking support and assistance. They provide medical, legal, and psychological aid, as well as temporary shelter, counseling, and rehabilitation services. The centers are staffed by a team of trained professionals, including doctors, lawyers, counselors, and social workers. The goal of the one-stop center is to provide a safe and supportive environment for women to access the services they need to heal and recover

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from the trauma of sexual violence. They also aim to facilitate the reporting and investigation of cases of violence against women, and to help survivors navigate the legal system. Demographic analysis of sexual assault survivors can provide valuable insights into the prevalence and nature of sexual assault, as well as the characteristics of survivors who are most at risk. Some key demographic factors that may be examined in such an analysis include:

1. Gender: Sexual assault can affect people of all genders, but women and girls are disproportionately affected. In India, for example, the National Crime Records Bureau (NCRB) reported that over 86% of reported cases of rape in 2019 were against women.

2. Age: Sexual assault can occur at any age, but some age groups may be more vulnerable than others. For example, children and young adults may be at higher risk of sexual assault than older adults. In India, the NCRB reported that nearly 34% of reported cases of rape in 2019 were against victims under the age of 18.

3. Socioeconomic status: Socioeconomic factors, such as income, education, and social status, can influence the risk of sexual assault. Research suggests that people from lower-income households may be at higher risk of sexual assault than those from higher-income households. In addition, survivors from marginalized communities, such as Dalits, Adivasis, and other minority groups, may also be at higher risk of sexual assault.

4. Marital Status: Even though there is no law against marital rape in India, the statistics would give a better perspective if at all, any decision should be made in this regard by the law makers.

5. Geographic location: The prevalence of sexual assault can vary by geographic location, with some areas experiencing higher rates than others. For example, previous studies has shown that rural areas in India may have higher rates of sexual assault than urban areas.

6. Relationship to perpetrator: Sexual assault can occur in a variety of contexts, including intimate partner relationships, familial relationships, and stranger assaults. The relationship between the survivor and perpetrator can be an important factor in understanding the nature and prevalence of sexual assault. In India, for example, the NCRB reported that in 2019, over 94% of reported cases of sexual assault were committed by someone known to the victim.

Analyzing event attributes in sexual assault cases can provide important information about the nature and context of the assault. Some key event attributes that may be analysed in such cases include:

1. Perpetrator characteristics: The characteristics of the perpetrator, such as their relationship to the survivor, age, gender, and level of familiarity with the survivor, can provide important insights into the nature of the assault and potential risk factors for sexual assault.

2. Use of force or coercion: The use of force, threats, or coercion in the assault can provide insights into the nature of the assault and the level of violence involved.

3. Reporting and response: The survivor's decision to report the assault and the response of law enforcement and healthcare providers can provide insights into the barriers survivors may face in seeking justice and receiving support.

4. IPC Section: These cases are reported under POCSO, 376 and 354. It will provide the information about the case load and required medal and legal resources. Commonly, by the word sexual offence, we usually understand the offence of rape though it also includes various other types of offences. The Criminal Law (Amendment) Act, 2013 (Act. 13 of 2013) re-defined rape and also made the punishments more stringent. There is also another act which came in 2012 as The Prevention of Children from Sexual Offences Act, 2012 (No. 32 of 2012) by which the term 'Penetrative Sexual Assault' is inducted. In addition to the legislation on sexual offences, sexual harassment is also taken into consideration.

#### **Aims and objectives:**

1. To help policymakers and advocates better understand the needs of sexual assault survivors and develop targeted interventions to prevent sexual assault and provide support to survivors.

2. To identify patterns and risk factors associated with different types of assaults, as well as inform prevention efforts and interventions to support survivors.

#### **Materials and methods:**

Our study was done retrospectively. There is only one OSC in the district of Visakhapatnam. It is located in King George Hospital. All the medicolegal legal cases of the district are referred here for comprehensive care. We have collected the data from entry

registers after obtaining the permission from the concerned authorities. Strict confidentiality was maintained while collecting the data. A detailed history is recorded in the registers by the on duty OSC staff. We have collected the information regarding age, literacy, socio economic status, residence (rural/urban), relation to the perpetrator, consent, time of reporting after the incident and section under which the case was registered. The results thus obtained were analyzed.

**Inclusion criteria:** All the medico legal cases related to sexual offences brought to OSC, Visakhapatnam in 2021 and 2022.

**Exclusion criteria:** Non-Medico-legal cases like domestic violence and kidnapping.

#### **Results:**

In the study period, a total of 288 cases were reported, with varying demographics and characteristics. Among the reported cases, 5% (15) involved girls below 12 years old, 12% (35) involved girls between 12 and 15 years old, 24% (68) involved girls between 16 and 18 years old, 29% (84) involved girls between 19 and 24 years old, and 30% (86) involved girls above 25 years old. Out of the 288 individuals involved, 86% (250) were literate, while 14% (38) were illiterate. Socioeconomically, 85% (246) belonged to a low-income group, 15% (42) to a middle-income group, and none were classified as high-income. Regarding marital status, 77% (223) of the individuals were unmarried, while 23% (65) were married. In terms of geographical distribution, 43% (124) resided in rural areas, while 57% (164) lived in urban areas. The perpetrators in the cases were primarily intimate partners (lovers/boyfriends) in 71% (204) of the incidents, followed by relatives in 2% (6) of the cases, close family members in 3% (8) of the cases, known persons/neighbors in 22% (64) of the cases, and unknown individuals in 2% (6) of the cases. Force or coercion was reported in 20% (57) of the incidents, while the remaining 80% (231) were reported as consensual by the survivor. None of the cases were reported within 24 hours of the incident, 9% (26) were reported within 24 to 72 hours, and 91% (262) were reported after 72 hours. Out of the 288 cases, 38% (108) were registered under the Protection of Children from Sexual Offences (POCSO) Act and IPC 376, 57% (165) were exclusively registered under IPC 376, and 5% (15) were registered under IPC 354.

#### **Discussion:**

According to the National Crime Records Bureau of India, the reported instances of crimes against women witnessed a 15.3% increase in 2021 compared to 2020.<sup>1</sup> In 2011, there were over 228,650 reported cases of crimes against women, whereas in 2021, the number reached 428,278, indicating an 87% surge.<sup>1</sup>

Among the female population residing in India in the year 2012, 7.5% live in West Bengal, where 12.7% of the reported crimes against women took place.<sup>2</sup> Andhra Pradesh is home to 7.3% of India's female population and accounts for 11.5% of the total reported crimes against women.<sup>2</sup> Obtaining precise statistics regarding the actual occurrence of cases is extremely challenging since a significant number of incidents go unreported. This is primarily due to the fear of being ridiculed or shamed of potential reporters, as well as the immense pressure to avoid bringing

**Table 1. Victim demographics.**

Age of the Victim	
< 12	15 (5%)
12 to 15	35 (12%)
16 to 18	68 (24%)
19 to 24	84 (29%)
> 25	86 (30%)
Total	288
Education status of the victim	
literate	250 (86%)
Illiterates	38 (14%)
Total	288
Socio Economic Status of the victim	
High	0
Middle	42 (15%)
Low	246 (85%)
Total	288
Marital Status of Victim	
Married	65 (23%)
Unmarried	223 (77%)
Total	288
Location of the victims residence	
Rural	124 (43%)
Urban	164 (57%)
Total	288
Willingness of the Victim	
Invalid Consensual	231 (80%)
Unwilling/Force or coercion	57 (20%)
Total	288

dishonor to their families.<sup>3,4</sup> Likewise, law enforcement officials are often more reluctant to register the case and favor the families of the accused. In some cases the victim has to fear severe consequences, such as honor killings.<sup>3</sup>

In terms of age groups, the highest number of reported cases to the OSC came from individuals above 25 years, closely followed by the age groups of 19 to 24 and 16 to 18 years. If we combine the age groups of 12 to 15, 16 to 18, and girls of 11 years and 19 to 20 years, this combined group would have the highest number of cases. Similar findings were reported by Tamuli,<sup>5</sup> Kumar Pal et al.,<sup>6</sup> Sarkar et al.,<sup>7</sup> Mariam,<sup>8</sup> Praveen et al.,<sup>9</sup> and Santhosh et al.,<sup>10</sup> where the age group considered was 11 to 20 years. Most of the girls in the age range of 12 to 15 and 16 to 18 were involved in consensual sexual relationships and participated willingly, even though their consent is not legally valid. It was their parents who indulged in the complaints and made the girls hostile.

Analyzing the judgments of cases handled under the POCSO (Protection of Children from Sexual Offences) Act by the Mumbai Sessions Court at Greater Mumbai in 2019, as found on its website, out of a total of 59 concluded trials, 33 cases were related to "romantic relationships" (56%). In Greater Mumbai, out of 44 cases, 24 cases (54.5%) were involving similar relationships. In all these 24 cases prosecuted in Greater Mumbai, where romantic relationships were involved, the accused were acquitted. In none of these cases in Greater Mumbai did the "victims" support the prosecution's case. This data suggests that it was not the "victims" who initiated the criminal action, but rather their family members who approached the police. The fact that the informants were mostly the parents of the "victims" indicates

**Table 2.**

Time of reporting since the incident	
< 24 hours	0
24 to 72 hours	26 (9%)
>72 hours	262 (91%)
Total	288

**Table 3.**

Perpetrator relationship with victim	
Intimate partner	204 (71%)
Relative	6 (2%)
Close family member	8 (3%)
Known person/neighbor	64 (22%)
Unknown person	6 (2%)
Total	288

**Table 4.**

IPC Section	No of Cases
POCSO & 376	108 (38%)
376	165 (57%)
354	15 (5%)
Total	288

that the girls themselves had no grievances against the accused. Furthermore, the high rate of the girls turning "hostile" towards the prosecution's allegations of penetrative sexual assault suggests that these girls were involved in romantic relationships. Similar data can be found across the country, raising questions about lowering the age of consent.

In the study, 86% of the survivors were literate. Additionally, most girls below the age of 25 were students attending educational institutions, which aligns with the findings of studies conducted by Tamuli,<sup>5</sup> Kumar Pal et al.,<sup>6</sup> Sarkar et al.,<sup>7</sup> Santhosh et al.,<sup>10</sup> and Ambika Prasad et al.<sup>11</sup>

The majority of the survivors who reported the incidents belonged to lower socioeconomic status, which is consistent with the findings of studies by Tamuli,<sup>5</sup> Sarkar et al.,<sup>7</sup> Mariam,<sup>8</sup> and Swetha et al.<sup>12</sup> However, Ambika Prasad et al.<sup>11</sup> reported that 55% of the cases were from above the poverty line, which contradicts our study. Although the number of cases reported from higher socioeconomic status background is very low, it may be attributed to feelings of embarrassment and the fear of blame within the social strata of society leading to under reporting. Such incidents are devastating for the honor of the entire family, making it a difficult decision to report to the police and undergo the complex procedures to seek justice.

During the study period, 77% of the survivors, respectively, were unmarried. This corresponds to the findings of studies conducted by Tamuli,<sup>5</sup> Kumar et al.,<sup>6</sup> Mariam,<sup>8</sup> Praveen,<sup>9</sup> Santhosh et al.,<sup>10</sup> and Ambika Prasad et al.<sup>11</sup> As most individuals in this age group are not yet married and may be involved in various types of relationships, it is evident that the reported cases are higher among unmarried individuals. Moreover, married women face additional challenges within the family structure, making it more difficult to report such incidents, especially in a familial system in a country like India.

Since Visakhapatnam is an urban area, the reported cases predominantly originate from urban regions. Santhosh et al.<sup>10</sup> conducted a study in western Maharashtra, where more cases

were reported from urban areas compared to rural areas, whereas Ambika Prasad et al.<sup>11</sup> conducted their study in Berhampur, Odisha, and found a higher number of reported cases from rural areas than urban areas.

In our study, the perpetrator was an intimate partner in the majority of the cases, similar to studies conducted by Tamuli<sup>5</sup> and Ambika Prasad et al.<sup>11</sup> Known individuals were the most common perpetrators in studies conducted by Sarkar et al.,<sup>7</sup> Mariam,<sup>8</sup> Parveen,<sup>9</sup> Santhosh et al.,<sup>10</sup> and Swetha et al.<sup>12</sup> However, this contrasts with the study by Parveen,<sup>9</sup> where unknown individuals were the most common perpetrators. An intimate partner could be a boyfriend, lover, classmate, colleague, relative or a friend known to the victim. These types of relationships often involve romantic associations. In most cases, the accused have been acquitted by the Special Courts, especially in cases involving romantic relationships. Based on the reviewed judgments, the acquittals were often based on grounds such as the "victim" being intentionally concealing her age at the time of sexual intercourse, a valid marriage having taken place with no evidence of intercourse prior to the age of eighteen, the prosecution failing to prove forcible sexual intercourse, the "victim" not identifying the accused, or the "victim" being found to be above eighteen years old when the sexual intercourse occurred.

In our study, force or coercion in 20% of the cases during the years 2021 and 2022. In the remaining cases, the victim's willingness was present, similar to the findings of Kumar pal et al.,<sup>6</sup> where 59.8% of the cases involved invalid consensual rape. Force was used in 68.56% of those cases, which contrasts with the studies conducted by Ambika Prasad et al.,<sup>11</sup> where force was used in 46% of the cases, and Riggs N et al.,<sup>13</sup> where force was used in 80% of the cases. These cases were registered under aggravated penetrative sexual assault.

Regarding the time of reporting since the incident, no cases were reported within the initial 24 hours. During the 24 to 72 hours period, 9% of the cases were reported, while 91% were reported after 72 hours during the years 2021 and 2022. Tamuli<sup>5</sup> found that most cases were reported between 3 to 7 days, Kumar pal et al.<sup>6</sup> reported that most cases were reported on the 2<sup>nd</sup> day, Mariam<sup>8</sup> noted that most cases were reported between 24 to 72 hours, and Ambika Prasad et al.<sup>11</sup> found that most cases were reported after 72 hours. Sarkar et al.<sup>7</sup> reported that the majority of cases were reported between the 5<sup>th</sup> to 7<sup>th</sup> day, while Parveen<sup>9</sup> observed that most cases were reported within two weeks. This variation in the time of reporting can be attributed to various factors, including fear, embarrassment, primary intervention by local leaders to settle the case, delay on the part of legal authorities to register the case, and, in some cases, false allegations with ulterior motives.

In the study period, a total of 288 cases were reported, out of which 108 cases were registered under POCSO and 376 IPC, 165 under 376 IPC, and 15 under 354 IPC. Although the percentage of cases reported under POCSO is high, as discussed earlier, one of the major reasons is the increase in the age of consent. This has resulted in cases of "romantic relationship" burdening the criminal justice system. At the all-India level, 52% of the cases under the POCSO Act involved victims between sixteen and eighteen years old, while in Maharashtra, 51% of such cases fell

within this age group. The exact number of cases related to "romantic relationships" is not indicated, but the judgments reviewed in Mumbai for 2019 show that more than 50% of the cases were related to such relationships, and the majority of the "victims" were between sixteen and eighteen years old.

Data compiled by the Bangalore Police Commissioner reveals that the number of complaints under Section 354 of the Indian Penal Code increased from 150 in 2006 to 776 in 2016. This could be attributed to an increase in the number of incidents as well as a greater willingness on the part of women to register complaints. However, the conviction rate during those ten years was only 0.37%, which is very low. In cities like Visakhapatnam, women may still fear and feel embarrassed to register a complaint, but this can be overcome through increased awareness and safety measures.

**Summary and suggestions:** The study highlights the need for targeted interventions and prevention efforts to address sexual assault and support survivors. It suggests several areas for further research and action, including:

**Prevention efforts:** As the high percentage of cases were involving intimate partners, there is a need for awareness campaigns and programs addressing healthy relationships, consent, and gender equality.

**Education and literacy:** The majority of survivors were literate, emphasizing the importance of education in empowering individuals and reducing vulnerability to sexual assault. However, further research is needed to understand the relationship between education and risk factors.

**Socioeconomic factors:** The study found a higher prevalence of sexual assault among individuals from low-income groups. Efforts should focus on addressing the underlying socioeconomic inequalities that contribute to increased risk.

**Urban-rural divide:** The study found a significant proportion of cases from both rural and urban areas. Tailored interventions should consider the unique challenges faced by survivors in different settings.

**Reporting barriers:** The study showed that the majority of cases were reported after 72 hours, indicating potential barriers to timely reporting. Identifying and addressing these barriers, such as social stigma and fear, is crucial to ensuring survivors' access to justice and support.

**Age-related interventions:** The study highlighted the vulnerability of young girls, particularly those aged 12-18, who were involved in romantic relationships. Comprehensive sex education and awareness programs can help address misconceptions about consent and healthy relationships.

**Legal reforms:** The study identified the need to reevaluate the age of consent by the relevant authorities and the prosecution of cases involving romantic relationships. Policy discussions and legal reforms may be necessary to ensure justice for survivors while considering the complexities of such cases.

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