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## Sexual assault and associated factors among the cases reported in a tertiary care hospital of Delhi

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### ABSTRACT

**Background.** Sexual assault is said to be an under-reported and under-researched crime worldwide. The high number of cases of sexual assault reported in India is the tip of the iceberg. We did this study to understand various factors associated with this crime.

**Methods.** We did a retrospective analysis of 312 forensic examination reports of alleged sexual offenders, available from a tertiary care hospital of Delhi from January 2014 to December 2016.

**Results.** Of the 312 victims of sexual assault, 62.9% were adults and 37.1% minors. The time of assault was mentioned in only 73 cases. Among these, about two-thirds of cases (60.3%) occurred during daytime. Among the 213

cases where the reporting time of the crime was mentioned, only 35.7% of cases were reported within 24 hours of the crime. Around 92% offenders were known to the victims.

**Conclusion.** More than one-third of sexual assaults were against minors and in a majority of instances the alleged offenders were known to the victims. A major delay in reporting the crime was observed when the victim was known to the perpetrator.

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### INTRODUCTION

Sexual assault is defined as any genital, oral or anal penetration by a part of the accused's body or by an object using force or without the victim's consent.<sup>1</sup> Rape is a subset of sexual assault but many countries use the terms interchangeably. Most studies highlight that the number of cases of sexual assault that reach the casualty for medical care is just the tip of the iceberg.<sup>2,3</sup> As per the National Crime Records Bureau data for 2015, most offenders are known to the victims<sup>4</sup> and include friends and family members.<sup>5</sup> The rate of conviction was an abysmally low (29.4%) in Delhi in 2015.<sup>6</sup>

Sexual assault is under-researched worldwide.<sup>3</sup> Not much data are available about sexual offenders in Delhi. Therefore, we did this study to understand certain characteristics of the alleged offenders and victims, circumstances of the crime and factors associated with a delay in reporting the crime.

### METHODS

We did a retrospective analysis of forensic examination reports of alleged sexual offenders who were presented by the police to the Department of Forensic Medicine of a tertiary care hospital of New Delhi from 1 January 2014 to 31 December 2016.

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We screened a total of 312 case reports containing information related to the offenders, such as gender, age, residence, time of offence, date of first information report, Indian Penal Code (IPC) section applied and information related to the victims, such as gender, age and acquaintance with the offenders. Since, it was a matter of medico-legal importance, we maintained strict confidentiality. The reports were kept under lock and key at all times, and no one apart from the main investigators had access to them. The computer on which the data was maintained was password protected. All personal identifiers were removed from the database before analysis. The data were recorded in Microsoft Excel spreadsheet and analysed. Some of the data were missing and were accounted for during analysis. A value of  $p < 0.05$  was considered statistically significant. The study was reviewed and approved by the institutional ethics committee.

## RESULTS

All 312 alleged offenders were males and a majority of them were adults (290, 92.9%). Among the victims, all except 9 were females (303, 97.4%). More than one-third of the victims (116, 37.2%) were minors. The day of assault was mentioned only in 213 cases. The cases were more or less equally distributed over the whole week, except on Saturdays when they were less in number. Sexual assaults with minors were committed more during the latter half of the week, while on other days the cases against adults were more; however, this difference was not statistically significant.

The time of offense was mentioned in the reports of only 73 cases. The time of the sexual assault was categorized into day (from 7 a.m. to 7 p.m.) and night (from 7 p.m. to 7 a.m.). Nearly two-thirds (188, 60.3%) of the cases occurred during daytime. There was no statistically significant difference in cases against minors and adults regarding the time of assault.

The majority of the alleged offenders (258, 82.7%) were involved only in a single incident followed by those who had committed repeated assaults (54, 17.3%). Apart from rape (90.7%), the alleged offenders were also booked for other offences under various sections of the IPC such as criminal intimidation (34.0%), kidnapping (31.1%) and voluntarily causing hurt (22.7%; Table I).

The reporting time was available in 213 cases. The majority of cases (64.3%) studied had been reported late; only 35.7% of cases were reported within 24 hours of the crime. One-fourth of the cases were reported after a year of crime. The adult victims

(69.4%) reported later than 24 hours compared to minors (55.7%). The difference between delay in reporting by minor and adult victims was found to be statistically significant ( $p = 0.04$ ).

Further, the information of acquaintance with alleged offenders and reporting time was available only for 124 cases. Most of the victims (51, 87.9%) assaulted by relatives and intimate partners reported after more than 24 hours compared to victims assaulted by other than relatives or intimate partners (38, 57.6%). Delay was significantly more when the alleged offenders were intimate partner or relatives ( $p < 0.001$ ).

The majority of alleged offenders (114, 91.9%) were known to the victims. The minor victims were more likely to be assaulted by strangers and younger offenders and this difference was statistically significant (Table II). The offense against minors was not significantly influenced by place of residence, day and time and repeated offenses.

## DISCUSSION

Studies from India with a similar sample size have evaluated sexual assault cases; however, we assessed some novel associations such as delay in reporting the offence and acquaintance with the offender. The study has its limitations as secondary data have been used and data of some cases were not complete. Although studies relying on hospital-based data might capture the tip of the iceberg, such studies are relevant and can provide

TABLE I. Frequency of different crimes according to the Indian Penal Code under which the alleged offender was booked ( $n = 312$ )

Crime	<i>n</i> (%)
Rape	283 (90.7)
Criminal intimidation	106 (34.0)
Kidnapping	97 (31.1)
Voluntarily causing hurt	71 (22.7)
Outraging modesty of a woman	42 (13.5)
Unnatural sex	28 (9.0)
Wrongful restraint/confinement	24 (7.7)
Gang rape	23 (7.4)
Blackmailing/extortion	13 (4.2)
Cheating/dishonesty	13 (4.2)
Causing miscarriage	5 (1.6)
Murder	4 (1.3)
Robbery/dacoity	4 (1.3)
Abetment to suicide	1 (0.3)
Selling minor for prostitution	1 (0.3)

TABLE II. Relation between age of the victims and age and relation of the offender

Variable	Victim		Total	p value
	Adult	Minor		
<i>Offender's relationship with the victim</i>				
Relative	8 (9.2)	7 (18.9)	15 (12.1)	0.017
Intimate partner	36 (41.4)	7 (18.9)	43 (34.6)	
Known to the victim	39 (44.8)	17 (45.9)	56 (45.2)	
Not known to the victim	4 (4.6)	6 (16.2)	10 (8.1)	
Total	87 (70.2)	37 (29.8)	124 (100)	
<i>Age of offender (years)</i>				
<30	101 (51.5)	83 (71.6)	184 (59.0)	0.001
≥30	95 (48.5)	33 (28.4)	128 (41.0)	
Total	196 (62.8)	116 (37.2)	312 (100)	

Values in parentheses are percentages

important details about the crime regarding offenders and victims to develop prevention and control strategies. Such studies also highlight special groups such as children, which may not be possible using conventional community-based surveys.<sup>7</sup>

The finding of few male victims in our study (2.6%) deserves a comment. Studies from other countries report a higher percentage of male victims (4%)<sup>1,8,9</sup> whereas, in some other studies there were no male victims.<sup>2,7</sup> The legal support under section 375 of the IPC does not cover male sexual assault victims<sup>10</sup> and this might be the reason that men may not report such crimes. Child survivors of both sexes are now covered under the Protection of Children from Sexual Offences Act 2012, which brought in major changes in the law related to sexual violence with children.<sup>11</sup>

In our study, more than one-third of the victims were minors. A similar trend has also been reported in other studies.<sup>12,13</sup> Contrary to our findings, the number of minor victims have been much higher (48%–72%) in other studies.<sup>1,2,7,14,15</sup> This does not mean that the crime is less frequent among children, but the guilt, shame, stigma and taboo associated with sexual assault may prevent it from being reported.

We found that sexual assault cases were almost equally distributed during the week except on Saturdays, when the number was low. We found that children were assaulted more during the latter half of the week. This is not surprising as a majority of assailants were family friends and relatives and weekend is the preferred time for visiting. Badejoko *et al.*<sup>7</sup> found that more children were assaulted sexually during the first half of the week. The authors stated that children were likely to spend less time under parental supervision during the week, as parents were usually working outside the home.

The majority of cases in our study were reported very late. The median delay observed was 14 days, which was similar to the study done by Lakew *et al.*<sup>13</sup> in Ethiopia. On the other hand, the median delay in a study done in Nigeria was only 8 hours.<sup>7</sup> The cases reported within 24 hours were observed to be only 35.7%, which is significantly lower compared to that (70%–80%) in other studies.<sup>2,7,16</sup> This may be because a substantial number of alleged assailants were known to the victims.

Nearly all the victims (91.9%) in our study knew their offenders, which was similar to that reported by Ononge *et al.*<sup>1</sup> from Uganda and Shinge and Shrigiriwar<sup>17</sup> from India. In some other studies, the number of known offenders ranged between 27% and 77%.<sup>7,9,13,15,16</sup> The high number of known offenders emphasizes the falling moral standards of people. The sexual assaults by intimate partners in our study (34.6%) were much higher compared to that reported by Cerdas *et al.*<sup>8</sup> in Costa Rica. Intimate partner violence is fuelled by a male-dominated society where women are suppressed physically, emotionally or sexually—this is relevant in the Indian context.

### Conclusion

A large number of victims of sexual assault were minors and they reported the incident late (i.e. >24 hours). The high number of sexual offences against minors were committed by relatives or known persons. Parents need to be aware of this pattern and should be careful while leaving a child with an acquaintance or a relative. Sexual assault by intimate partners needs to be addressed by educating and empowering women.

*Conflicts of interest.* None declared

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