

THE IMPORTANCE OF SUBSTANTIATING ANTICIPATED CASES OF SEXUAL VIOLENCE

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Abstract

Crimes related to sexual violence are rarely reported to law enforcement agencies. Such crimes are multifaceted, and some details can be difficult to reveal even during a thorough investigation.

Keywords: sexual violence; victim; case description; clinical forensic medicine; report of violence.

Materials and methods. The study was conducted in the Forensic Medicine Department of the Medical College. Ramaya (Bangalore, India) from January 2018 to December 2020 All victims of alleged sexual violence brought to the forensic medical unit for examination, after obtaining consent, underwent detailed questionnaires. Qualitative data from descriptive statistics were summarized by calculating frequency and percentage indicators.

Results During the study period from January 2018 to December 2020, 82 individuals with a suspected history of sexual violence were examined, who sought assistance on their own or were taken to the department by their parents, guardians, or the police. All victims were women, except for two people who were under 12 years old. Most victims (n=71; 86.5%) were under 18 years of age and were considered **minors according to Indian law**. In most cases (n=76; 92.7%) were either the victims themselves or their parents. Only in six cases did neither the victim nor the parents report the incident to the police, and were admitted to the hospital through a non-governmental organization, after which the hospital management reported this to the police at their place of residence.

All adult victims were examined by a forensic medical expert (in the presence of an accompanying woman), all minors - by a female doctor-ordinator. They were accompanied by parents or a representative of a non - government organization. The inspection of all victims was carried out at the official request of the police. Ten people

who went to the police on their own were adults. Of the victims, none of the minors went to the police on their own.

Most often (n=44; 53.65%) reported the attacks to the police three days after the alleged sexual assault.

In most cases (n=74; 90.25%) the victims looked normal. Only in 9.75% of cases (n=8) did they appear discouraged, depressed, or anxious.

Most often (n=49; 59.75%), the reasons for appealing to the police were related to matters of honor, dignity, and reputation of parents or guardians. In 16 cases (19.51%), the victims wanted the offender to be punished either for deception (in case of refusal to marry after sexual intercourse), or due to differences in origin or family status. In 14 cases (17.07%) the victims wanted to marry the attacker when he promised to marry them before or after the alleged sexual violence. In two cases, we were talking about monetary benefits, and in one - about the political benefits of the attacker.

Only in four cases, positive results were obtained indicating recent sexual intercourse with penetration, in the form of fresh ruptures of the hymen or the presence of sperm in smears taken during examination of genital organs.

This is explained by the late appeal to the police, resulting in a delayed examination and most evidence not being found. In six cases of alleged sexual assault, the assailant used a condom, so sperm was also not found.

Conclusion Most victims of alleged sexual violence were minors. Only 12% of them immediately, without anyone's persuasion, contacted law enforcement agencies. More than 50% of victims turned to the hospital no earlier than three days after the alleged sexual assault. In most cases, victims voluntarily consented to sexual intercourse, however, such consent is considered invalid, as according to the law, a girl under 18 cannot consent to sexual contact. Many of the victims agreed to have sex after being promised to marry. In this regard, no bodily injuries were found in the victims, and positive evidence of sexual violence was found only in 5% of cases.

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