



What Rape Survivors Want? Change In Mindsets & Accountability

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GENDER LENS

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One of the most common forms of Gender-Based Violence is Rape. Yet there is a dearth of Indian evidence on the impact of rape on survivors.

A study conducted by CEHAT (Centre for Enquiry Into Health



Survivors said that they would like others to learn from their experience so that there is a change and other survivors don't suffer as they did.

The study focused on what happened in their lives right from the incident of sexual violence, their thought process after the incident, their considered decision to report the matter to the police, their interaction with their immediate family, neighbours and so on.

The first point of contact for most of them was the police system followed by the hospital system and the courts. Most survivors unequivocally expressed that they and their families had to deal with unfriendly, intimidating, and hostile institutions compounded by isolation, humiliation and hostility from the community.

Despite all the negative and hostile environment, most of them had not deterred one bit from their fight for justice. What was the most heart wrenching was their resolve to seek justice, facing/coping with all the institutional biases and prejudices therein and the isolation and ostracism by the neighbourhood, community at large, workplaces and schools.

Having relieved these experiences as part of the interview process, the respondents reflected on what needs to change in the formal system as well as societal level.

“Should not happen to anyone else’, ‘He should be punished so that he realizes his mistake’ ‘if we keep silent he will do this to more girls’ ‘if I don't report my daughter may feel we did not support her’. These are some of the expressions by survivors. They had complete belief in the criminal justice system. None of them used the language of “teaching a lesson” to the



Suggestions By Survivors

i. Police:

At the police station, such complaints should be taken immediately as it is not easy for survivors to report. The police should understand how difficult it is to report such crimes.

- Record the complaint immediately and don't make the complainants wait for hours
- Question the accused and not the victim
- Listen to what the victim is saying. Don't doubt her/disbelieve her
- Don't delay medical examination
- Arrest the accused. Don't wait for medical examination to arrest the accused
- Investigate and don't dilly-dally
- Punish police who do not perform duties
- Do not take bribe from accused
- Don't pressurise survivors to "settle the matter"

It was quite telling when one of the respondents said that women who want to report should be made aware that this is how insensitive the police is – in her words “just keep all your honour and shame aside as you will have to keep repeating what happened”.

Survivors unanimously voiced that the police must be trained to recognize sexual violence as a crime. This would require a change in their attitude as they feel crimes against women are less important than murders and other crimes.

ii. Hospital

Survivors recommended that the hospitals must prioritise treatment and not insist on police complaints. “swift treatment without delay- 2-3 hours is just too much”



- Don't discriminate based on HIV status
- The doctor should not discuss the case with others in the room
- The examination should not be done in the labour room
- Abortion should be provided immediately

A mother of a child survivor narrated “examination in labour room should be stopped because when I took my daughter, that time many women were in labour and they were screaming in pain; she was asking me what is happening to them and she was scared, I made her sit at a corner and spoke to the doctor to examine her fast but they said they needed some time”

A 22-years-old woman in her interview articulated that hospitals must maintain confidentiality. She had come to the hospital as all she wanted was an abortion and to move on in her life. But being single, the police and hospital insisted on informing her parents.

“If I could have kept it a secret without telling any relatives, my parents; then they would have felt the same affection for me, they used to feel before, I would have remained in their heart. But after all this, nobody is behaving with me as before. So that’s what I feel, they should not have disclosed this to my family.”

iii. Courts

There were several concrete suggestions for changes at the court level.

- A survivor narrated -“Actually those who go to the court should get oriented to some of the rules before, how things work here because advocates charge a lot for the smallest



application has to be made. Most people don't know anything and there is no one to tell”

- The lawyer should be provided (most did not perceive Public Prosecutor as a lawyer appointed for them)
- The case can't go on for so many years (4 years since incident) decision should be taken swiftly so we can move on.
- Decisions about granting bail should be based on whether accused and his family are threatening/abusing the victim.

Long process obstructs healing

In the words of a parent of a child survivor -“.....in our system, one has to run too much for follow up, but this still we accept it; the problem is that there are several tedious procedures and loopholes such as- this is required, that is required, this has to be done this way, etcand in all this a lot of time get wasted. The main concern is the child and her future is very important. E.g if we get injured then we may be hospitalized for some days and healing from that injury is must as it is required for regenerating. Such an option should be available but if that option is not available or a lot of time goes into that, then it is not good as my child's future is getting spoilt then. And it does not feel good at all.”

Sensitivity in all systems

“Whatever cases are filed should be followed up by a team- It should be at every place, in hospital, court, police station everywhere this system should be there. They will inform and follow up and tell what should be happening in the case.

For Services- Someone is required for sure - who knows the criminal justice system and also knows how the accused will



also. If the person knows all four sides only then it will work otherwise

Most expressed that institutions such as school were also unsupportive. Schools insisted that children move out of the existing school and seek admission in a new school, fearing reputation of the school and even asking that child not be sent to school till matters are resolved as it can disturb other kids.

Iv Recommendations for Community at large

Survivors felt that they and their families who suffered required support from society. 20% of the families had to relocate due to the hostile community and others had to live in the same place and face it.

- Survivors and family should not be isolated by the society/ community.
- Create safe places for children to prevent sexual abuse. Schools and private tuitions should ensure that toilets are easily accessible so that girls don't have to go long distances and make themselves vulnerable.
- Girls should not be silenced due to concern about honour,
- Society should support and accept her and not blame her.
- Recognise that it takes a lot of courage to report these incidents

These expressions are pointers for the urgent need to work at the community level to change the mind-sets of people about sexual violence through demystifying the medical and court procedures.

There is a need to put into perspective the “negative medical report”, the “granting of bail” and the “acquittal “, which are often understood as ‘false cases of rape’.



victimisation of those who show the courage to seek justice.

(The writers are associated with CEHAT which is a research centre of Anusandhan Trust based in Mumbai)

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