

# Sexual Assault: A Crime of Power & Control. Medicolegal Study at Tertiary Care Hospital

Humaira Rehman, Bismah Shahzad, Fariha Tariq, Altaf Pervez Qasim, Shahid Nadeem

## ABSTRACT

**Background:** Sexual Violence is one of the most common crimes across the globe changing the religious as well as cultural values. The incidence of sexual assault is increasing in the community and gained considerable importance being the important public health problem all over the world. **Objectives:** To study the socio-demographic profile & medico-legal consequences in the victims of alleged sexual assault brought for medicolegal certification at District Headquarter (Teaching) Hospital Sahiwal, Pakistan. **Setting & Duration:** Retrospective study was conducted in medicolegal clinic of DHQ Teaching Hospital, Sahiwal during the period from 1<sup>st</sup> January, 2016 to 31<sup>st</sup> December, 2016. **Material & Methods:** 125 cases of alleged sexual assault reported in medicolegal clinic of DHQ Hospital Sahiwal, during the calendar year 2016. The socio-demographic characteristics were studied in detail i.e. age, marital status, residential background. Associated physical injuries as well as perineal injuries observed on the body of victims were also considered. Results of the biological specimens / evidentiary material sent to the Punjab Forensic Science Agency (PFSA) were recorded on a Performa. **Results:** The incidence of sexual assault was higher 79(63.20%) in rural inhabitants as compared to 46(36.80%) in urban citizens. The most vulnerable age group was 11-20 years involving 57(45.60%) cases followed by those belonging to 3<sup>rd</sup> decade of life involving 37(29.60%) victims. Of the total 125 cases of alleged sexual assault, 74(59.20%) were married and 51(40.80%) unmarried. As regard injuries to the perineal areas; hymen was observed to have fresh injuries to the vulva & vagina in 7(5.60%) cases whereas old / healed tears of perineal area were found in remaining 118(94.40%) victims and there was no Virgo intact among all the cases of alleged sexual assault. **Conclusion:** The victims with age group of 11–20 years were the most commonly affected by sexual violence in Sahiwal & majority of them belonged to the rural areas. Rape and sexual assault are under-reported crimes in order to avoid the social stigma. A combined effort by law enforcing agencies, civil society & electronic / print media should be initiated to eliminate the ferocity of sexual crimes from community.

**Keywords:** Sexual Assault, Victims, Violence, Crime, Women, Rape, Medico-legal.

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## INTRODUCTION

Sexual Violence being a crime of power may impact majority of people, irrespective of age, race, ethnicity or socioeconomic status. The trend of sexual violence against women is increasing all over the world. The global statistics show that at least one in every five women experiences sexual act or attempted sexual assault during her lifetime.<sup>1</sup> Such type of violence against women is steadily increasing.<sup>2</sup> These cases are prevalent in almost all societies. Sexual offences, when assume the form of sexual violence may lead to murder, suicide & depression and disturbs the social wellbeing of the victim. Those victims are rejected by their close relatives, repudiated by the communities and in some cases killed by the perpetrator.<sup>3</sup>

The sex crimes i.e. rape, persecution, sexual harassment, & kidnapping for sexual purposes and trafficking of girls for sexual exploitation are very common in India.<sup>4</sup> A report on human rights violation has labeled 'rape' being the fastest growing crime in India but still under-reported.<sup>5</sup> Being a more complex crime; sexual assault is difficult to analyze due to the reason of under-reporting in majority of the cases usually committed by males to fulfill their sexual desire, to get control of the victim & to take revenge.<sup>6</sup>

It has been reported in the most recent international data that one in three women worldwide experiences physical or sexual violence by a partner or non-partner in their families.<sup>7</sup> The statistics of 2014 reported the involvement of highest number of sexual assault cases in Delhi.<sup>8</sup>

In spite of devastating impacts of sexual assault victims all over the world, the responses of criminal justice system are still controversial. The purpose of this study was to ascertain the magnitude of sexual violence in Sahiwal city and to analyze the data with respect to socio-demographic characteristics, medico-legal consequences and to evaluate the role of forensic examination in dealing with sexual assault cases.

## METHODOLOGY

**Study Design:** Retrospective Study.

**Place of Study:** Tertiary care health institution, District Headquarter (Teaching) Hospital Sahiwal, Pakistan.

**Duration of Study:** 1st January, 2016 to 31st December, 2016

**Methods:**

The study was based on the cases of alleged sexual assault in females reported for medicolegal examination. The data was obtained from the record of medicolegal certificates & history

stated by the victims at the time of examination and detail of injuries as mentioned in MLC registers. The details pertaining to socio-demographic factors such as age, marital status, and results of different specimens sent for chemical analysis & serological examination were entered on a Performa. The data analyzed & discussed.

## RESULTS

In the present study, 125 females with alleged sexual assault were examined during the calendar year 2016. Majority 79(63.20%) victims belonged to the rural areas near the boundaries of Sahiwal City and 46(36.80%) were urban citizens. It was found that age of the victims ranged from a child of 05 years to old women of 50 years. The most vulnerable age group was 11-20 years involving 57(45.60%) cases followed by 37(29.60%) victims belonging to the 3<sup>rd</sup> decade of life. Seventy-four (59.20%) victims of sexual assault were married and 51(40.80%) unmarried. [Table-1]

**Table 1: Socio-demographic profile of the alleged sexual assault cases brought for medicolegal examination**

Category	Frequency	Percentage (%)
<b>Residential Background:</b>		
Rural	79	63.20%
Urban	46	36.80%
Total	125	100
<b>Age Group (In Years):</b>		
0 – 10	07	5.60%
11 – 20	57	45.60%
21 – 30	37	29.60%
31 – 40	19	15.20%
41 – 50	05	4.00%
Total	125	100
<b>Marital Status:</b>		
Married	74	59.20%
Unmarried	51	40.80%
Total	125	100

As regard interval between sexual assault and examination, 35(28.0%) victims reported for medico legal examination within 24 hours of the incidence followed by 39(31.2%) cases attended the medico legal clinic after 24–48 hours, 20(16.0%) cases presented after 48–72 hours, 16(12.8%) cases were examined after 72–96 hours, 10(8.0%) after seven days and 5(4.0%) victims of sexual assault presented for medico-legal examination 02 weeks after incidence. [Table-2]

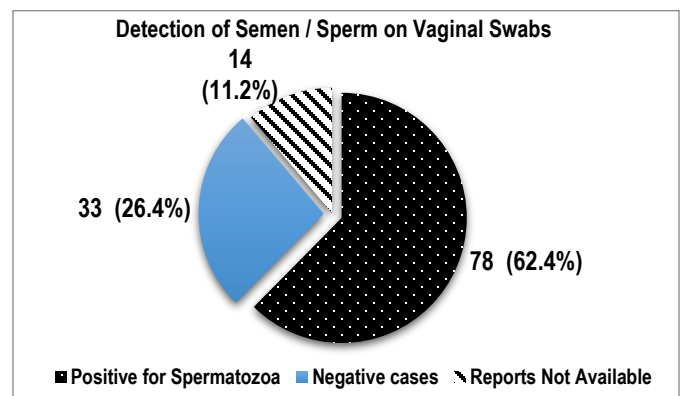
Of the total 125 cases of alleged sexual assault reported for medicolegal examination; associated injuries like bruises & abrasions were noted over the various body parts in 38(30.40%) cases and 7(5.60%) exhibited injuries on the perineal areas involving vulva / vagina but no injury was found on any part over the body of 80(64.0%) cases. [Table-3]

**Table 2: Time interval between sexual assault & examination**

Time Interval	No. of Cases	Percentage %
Within 24 Hours	35	28.0%
24 – 48 Hours	39	31.2%
48 – 72 Hours	20	16.0%
72 – 96 Hours	16	12.8%
4 – 7 days	10	8.0%
7 – 14 days	05	4.0%

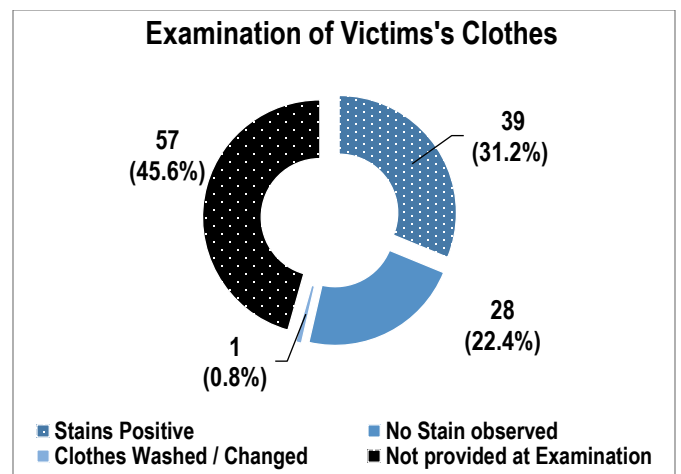
**Table 3: Associated injuries on the body of victims**

Type of injury	Frequency	Percentage
Associated injuries	38	30.40%
Fresh injuries to the Perineal areas & Vulva / Vagina	07	5.60%
No associated injury	80	64.0%
Total	125	100



**Figure 1: Reports of vaginal swabs analysis by forensic science laboratory**

On examination of the reports received from Punjab Forensic Science Laboratory, the vaginal swabs of 78(62.4%) cases were reported to be stained with semen which is suggestive of the recent act of sexual assault whereas semen was not detected in 33(26.4%) cases and no reports were available in the MLC record for 14(11.2%) cases. [Figure-1]



**Figure 2: Status of the clothes of sexual assault victims**

Examination of clothes revealed stains of semen in 39(31.2%) cases while no stain was observed in 28(22.4%) cases and the clothes were not provided for medico-legal examination in 57(45.6%) cases whereas, clothes were reported to be changed after the sexual assault in one (0.8%) case. [Figure-2]

## DISCUSSION

Sexual assault is one of the most common crimes against women and the actual number of cases is much higher due to the fact of under-reporting by victims being ashamed & blamed by their close friends & the society where they live. The authors observed in this study that girls belonging to the younger age group of 11-20 years were most commonly subjected to sexual assault while greater number of them were unmarried & school going adolescents. These findings are consistent with those of the research work carried out by Tamuli et al<sup>3</sup> and Bandyopadhyay et al.<sup>9</sup>

The age group of 11–20 years was the most endangered involving 57(45.60%) cases followed by 21–30 years affecting 37(29.60%) cases. The findings of this study are in consensus with Demireva et al<sup>10</sup> reporting 38.73% victims being subjected to sexual assault belonging to the similar age group. The researchers of other studies<sup>11–15</sup> also observed that 11-20 years age was the most vulnerable in sexual assault cases. A local study conducted by Tariq et al<sup>12</sup> reported the age group 10-19 years as highly unprotected being the victim of sexual assault whereas Suri et al<sup>16</sup> also reported that girls of 11-15 years were common victims of sexual ferocity. Suhail et al<sup>18</sup> reported 55.2% girls of 10-19 years affected by the sexual wildness. Although no age is considered to be safe from sexual savagery but girls of younger age groups are highly unprotected & endangered to carnal abuse being immature & weaker to protect themselves from the offenders.

One of the essential factors for establishing the cases of sexual assault is the time period between sexual act and medicolegal examination but great numbers of the affected girls were unwilling due to embarrassment & feeling of the shame / guilt. It was found that only 20(22.99%) cases were brought for medicolegal examination within 24 hours of the incidence while 32(36.78%) attended the medicolegal clinics after 24–48 hours. Suhail et al<sup>17</sup> reported that 30.26% cases of sexual assault got medico-legally examined within initial 24 hours. Delay in reporting the incidence was also observed by Arif et al<sup>14</sup> in 24.3% cases while Haider et al<sup>6</sup> reported the medicolegal examination of 37.93% victims on the 2nd day and Pal et al<sup>13</sup> reported medicolegal examination of 42.85% cases on the second day of the incidence. Examination of 7.48% victims was done on the same day as reported by Kaushik et al<sup>18</sup>. The reason for delay may be due to embarrassment, afraid of being blamed by the social strata of society. Such type of incidence is devastating for the honour of whole family & very difficult decision to be exposed to the police and to face the complicated procedures in order to seek the justice.

It was observed that 51(40.80%) cases of alleged sexual assault were unmarried and 74(59.20%) married. Similar findings were

observed by the authors of other studies<sup>3,9,12</sup> in which majority of the victims of sexual assault were unmarried girls. Another study conducted by Qasim et al<sup>15</sup> reported the involvement of 65% unmarried girls in sexual ferocity. Involvement of a higher number 77.14% of unmarried girls in the sexual violence was reported by Pal et al<sup>13</sup> and almost similar finding by Suhail et al<sup>17</sup> showing that 77.6% unmarried girls were affected by sexual violence. Surprisingly, Suri et al<sup>16</sup> reported that 96% cases of alleged sexual assault were unmarried girls. The results of our study are contradictory to Haider et al<sup>6</sup> indicating the involvement of 41.4% unmarried girls and 58.6% married women. Authors of this study noted that 31(24.8%) out of the total 125 cases of alleged sexual assault were the students of school & colleges. These findings are consensus with Kaushik et al<sup>18</sup> reporting the involvement of 41.06% unmarried girl being coerced to sexual violence.

During local examination of perineal areas, fresh tears of hymen were noted in 17.24% cases & old / healed injuries in 82.76% victims. Hymenal tears were found by Pal et al<sup>13</sup> in 88.57% cases while hymen was intact in 11.42% cases. Old tears of hymen were observed by Haider et al<sup>6</sup> in 63.8% cases & fresh tears in 32.8% cases whereas Arif et al<sup>14</sup> noted healed hymenal tears in 77.6% and fresh tears in 22.4% victims. Evidence of physical violence on genitalia & other body parts were observed in 37(42.53%) victims in this study. Genital injuries including vulva / vagina were noted in 22(25.28%) cases while injuries on other parts of body were observed on 8(9.20%) cases. Extra genital injuries were noted by Pal et al<sup>13</sup> in 20.0% victims whereas injuries on genitals were found in 11.42% cases. Evidence of physical violence on the different parts of body was found in a study conducted in Dhaka city by Al-Azad et al<sup>19</sup> reportedly involving 39.57% victims having injuries over the genitals and 36.09% had injuries other than genital areas.

Detection of semen & sperm is important for linking the crime of sexual assault to the offenders. The instant study revealed semen detection on vaginal swabs in 78(62.4%) cases and negative for semen in 33(26.4%) whereas, no reports available on the record in 14(11.2%) cases. The possibility of semen detection is decreased with increasing time duration between sexual act & medico-legal examination. The chances of semen detection diminish if the victim washes her genitalia after sexual act along with washing or changing the clothes.

## CONCLUSION


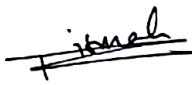
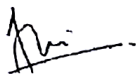

Sexual violence being a significant public health problem is violation of the fundamental women's rights and is censured all over the world. The assailants of sexual assault are usually acquitted by the courts because of inadequate evidence. Such beasts should be socially ostracized by the civilized society. The unmarried girls belonging to younger age group of 11-20 years are usually unprotected & vulnerable. Crime of sexual assault is under-reported due to the fear of social stigma. Timely examination & collection of evidentiary material enable forensic experts to help in establishing the crime & punishing the criminals. A combined effort by law enforcing agencies, civil

society and electronic / print media be initiated to eliminate the ferocity of sexual crimes from the community.

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<b>Dr. Fariha Tariq</b> Assistant Professor, Forensic Medicine Sahiwal Medical College, Sahiwal	Designing of Charts/Tables, Statistical Analysis, Proof Reading	
<b>Dr. Altaf Parvez Qasim</b> Professor / Head of Forensic Medicine Faisalabad Medical University, Faisalabad	Supervision of Study, Authentication of References & Proof Reading	
<b>Dr. Shahid Nadeem</b> Assistant Professor, Forensic Medicine Sahiwal Medical College, Sahiwal	Literature Review, Verification of Results, Proof Reading	