

Medicolegal Analysis of Reported Cases of Alleged Rape in Multan- A Two Year Study

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ABSTRACT

Background: Among all the crimes, sex related crimes against women are the most heinous and humiliating that are fast growing in Pakistan.

Aim: To ascertain incidence of sexual violence against women in Multan and to analyze the data with respect to epidemiological and demographic characteristics, findings of medicolegal examination and results of evidence collection from victims of sexual assault.

Method: This retrospective study was conducted on 81 cases of sexual assault brought to Forensic Medicine Department of Nishtar Medical College, Multan from January 2012 to December 2013 for medicolegal examination. Details pertaining to socio-demographic profile of the victim, incident, findings of medical and genital examination and results of evidence collected were noted. Data was analyzed using SPSS version 20.

Result: Out of 81 victims of sexual assault, the most affected age group was 11-20 years (61.7%). 57.9% of the victims knew the assailants. The highest number of incidents was committed at an isolated place 82.7%. 53% cases were of gang rape. 65.4% were examined after 72 hours of the incident. 14.8% victims had non-genital injuries, 7.4% had genital injuries while 1.2% had combined genital and extra-genital injuries. Rupture of hymen was found in 97.4% victims of which majority (62.9%) had old tears. Semen was detected in 30.8% cases. 2.4% victims were pregnant at the time of examination.

Conclusion: The success of the efforts aimed at curbing violence against woman relies on the implementation of an integrated strategy with proper monitoring regarding laws, government policies, and role of civil society and the media.

Keywords: Medicolegal analysis, rape, victim, assailant.

INTRODUCTION

Sexual assault is one of the heinous crimes that are fast growing in Pakistan. This barbarous offence is committed by man due to uncontrolled emotions of sexual jealousy, defective state of mind or ignorance of the cultural, religious or legal norms of the land¹.

Sexual intercourse or sex related acts performed in a way which is against the provision of the law of the land is considered as sexual offence. Rape is defined as the unlawful sexual intercourse with a woman without her consent by force, fear or fraud². It has serious long term consequences on physical and mental health of the women³.

Number of reported rape cases is likely to be only a tip of iceberg in comparison to the actual number of incidents. The true prevalence is not known due to non-reporting by the victims due to social stigma, fear of reprisal by the assailant and lengthy and complicated judicial procedures⁴. Despite

this, the global statistics are alarming. The incidence is 255 rapes per 100,000 women in South Africa, 58 rapes per 100,000 women in United States and 22,000 rapes a year in India⁵. The 2013 National Crime Data report for Pakistan revealed a rape rate of 16.8 per 100,000 women, of which 10% were gang rapes⁶.

Examination of alleged rape victims is one of the most difficult tasks in forensic medicine. The heavy penalties inflicted for such offence, the individual, social and family sequel, the risk of true offences to go unpunished in addition to identify false accusations, make the responsibilities of the forensic expert very heavy indeed⁴.

OBJECTIVE

This study was conducted to:

- Ascertain incidence of rape in Multan
- Determine the socio-demographic characteristics of the victims
- Analyze the physical and genital examination findings
- Interpret the results of laboratory tests of collected forensic evidence

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RESULTS

Majority of victims were young with 50 (61.7%) cases belonging to 11-20 yrs and 22 (27.1) cases to 21-30 yrs age group respectively (Table 1).

Table 1: Distribution of the victims according to age (n=81)

Age Group (in yrs)	n	%age
0-10	4	4.9
11-20	50	61.7
21-30	22	27.1
31-40	5	6.1

47(57.9%) of the victims knew the assailants. These included relatives 30(37.03%), neighbors 15(18.5%), friend or master 1 each (1.2%). The offender was stranger in 34(41.9%) cases. The highest number of incidents was committed at an isolated place 67(82.7%). Only in 8(9.8%) cases, the place of offence was the victim's house. In half of the assaults, there was more than one assailant 43(53.08%) shown in Table 2.

Table 2: Relationship of victims with assailant, place of offence and no of assailants (n=81)

Type of Relationship	n	%age
Relatives	30	37.03
Stranger	34	41.9
Neighbour	15	18.5
Close Friend	1	1.2
Master and servant	1	1.2
Place of incident		
Victim's house	8	9.8
Isolated place	67	82.7
Field	3	3.7
Hotel	3	3.7
No of Assailants		
Single	38	46.9
Multiple	43	53.08

Two third of the victims 53(65.4%) were examined after 72 hours of the incident while only 15 (18.5%) reported within 24 hours (Table 3).

Table 3: Distribution of the victims according to time of examination (n=81)

Time Interval	n	%age
<24 hrs	15	18.5
24-48 hrs	7	8.6
48-72 hrs	6	7.4
>72 hrs	53	65.4

12 (14.8%) victims had non-genital injuries, 6 (7.4%) victims had genital injuries while only 1 (1.2%) victim had combined genital and extra-genital injuries. Rupture of hymen was found in 79 (97.4%) victims of

which majority 51 (62.9%) had no fresh tear in hymen (Table 4).

Table 4: Type of injuries in victims (n=81)

Injuries	n	%age
Non genital	12	14.8
Genital	6	7.4
Genital and non genital	1	1.2
Recent hymen tears	28	34.5
Old hymen tears	51	62.9

Presence of spermatozoa was confirmed in 25(30.8%) cases. 2(2.4%) victims were pregnant at the time of examination (Table 5).

Table 5: Results of laboratory tests of biological specimen of victims

Result	n	%age
Sperm present	25	30.8
Pregnancy test positive	2	2.4

DISCUSSION

Rape is a serious public health, social and religious concern throughout the world with very small percentage of females reporting sexual assault⁷. The numbers of cases are on the rise in our society. The study was conducted on 81 alleged female victims of rape brought for medicolegal examination to Forensic Medicine department of Nishtar Medical College, Multan during 2012-13. This is comparable to other studies conducted previously in various cities of Pakistan. Hassan et al⁸ reported 123 victims in Lahore in 2002, Parveen et al⁹ 93 cases in Faisalabad in 2008 and Khan et al¹⁰ 180 cases in Karachi in 2013.

The most vulnerable age group was 11-20 years (61.7%) also reported by Al-Azad et al (69.57%)⁷, Manzoor et al (62.2%)¹¹ and Das et al (57.1%)¹² in their respective studies. The young age of the victims in our study could be due to the fact that this is the age at which females in our society are most vulnerable due to being less vigilant of the strangers and ignorant of the vagaries of society. As they mature, they tend to be more cautious of the strangers and acquaintances alike.

About 57.9% of the victims knew the assailants, which correlates with findings of El Elemi et al(57.5%)⁴, Hassan et al (57%)⁸ and Parveen et al (59.1%)⁹. These included relatives, friends, neighbors or masters. 41.9% assailants were strangers in our study. Strangers have also been reported as common perpetrators in studies by Okonkwo et al (34.8%)¹³, Riggs et al (39%)¹ and DuMont (49.2%)¹⁵ thus in accordance with our findings. Malhotra¹⁶ reported that girls below 10 years of age are more likely to be raped by assailant known to the victim

while incidence of rape by strangers increases significantly with age.

The commonest place of offence was an isolated place (82.7%) in our study. This is in line with a study in Finland¹⁷ where strangers raped majority of the victims using physical force usually in a remote place, at night and at the weekend. On the contrary, studies by Al-Azad et al⁷ and Sarkar et al¹⁸ reported that most of the offences were committed at the victim's house. Our finding can be explained by the fact that almost half of the victims (49.1%) were kidnapped, taken to an isolated place and raped.

In nearly half of the assaults (53%), there was more than one assailant. Manzoor et al¹¹ observed that in 52 cases (70.3%), number of assailant was more than one, thus consistent with our findings. According to our study, 83% of the assaults involving more than one assailant were committed by strangers. Contrary to this, of the 38 cases involving a single assailant, this was known to the victim in (65.5%) cases. Rape by persons known to the victim is much less reported in our study than in the west mainly because majority of assaults are committed their by acquaintances (up to 85%)¹⁹.

65.4% of victims were brought for medicolegal examination after 72 hours of the incident. This is in agreement to studies by Parveen et al (76%)⁹, Sarkar et al (67.2%)¹⁸ and Tamuli (77%)²⁰. This delay reporting is because most of the victims believe that it is a private matter, and therefore do not consult legal authorities. Also, they fear being not believed and blamed unjustifiably for sexual assault and also the chances of the perpetrators, even if convicted, escaping with limited punishment. In some settings families may disown these women and subject them to violence, even honor killings.

14.8% victims had non-genital injuries on the body indicating struggle. This is in agreement to Hassan et al⁸ and Parveen et al⁹ who reported 15% and 13.98% cases of non genital violence in their studies. 7.4% victims had genital injuries while 1.2% had combined genital and extra-genital injuries. This is comparatively low than reported by Sarkar et al¹⁸ who found genital injuries in 11.1% cases and 7.8% cases of combined genital and extra-genital injuries. There are various plausible explanations for this. Majority of victims in our study belong to the young and middle age group while genital injuries are more common in extremes of age. The absence of physical injuries may be attributed to the vulnerability of the victims and to the fact that minimum resistance was offered by the victim due to complete control by the assailant. Minor physical injuries healing rapidly may be missed in cases with delayed examination. Rupture of hymen was found in 97.4% cases in accordance with previous studies¹⁸. 34.5% had fresh

hymeneal tears and 62.9% had old tears in hymen as they had the history of previous sexual act. 34% had hymeneal lesion and 56% had old healed tears in hymen in study by Al-Azad et al⁷. All these results are in agreement with our findings.

According to our study, laboratory tests detected semen in 30.8% cases thus in accordance with previous studies .Daru²¹ estimated that laboratory findings were in accordance with sexual offence in 34% of the cases. In an analysis of 418 cases of sexual assault, cytology was performed in 61.5% of the cases and spermatozoa were found in 30.3% of these cases by Grossin et al²². These results are in line with our study. The absence of sperm did not exclude sexual violence but could be due to delayed medicolegal examination after the incident mainly because of social stigma.

2.4% reported with pregnancy. Similar observation was made by Islam (2%)²³ and Boonma M et al (3.4%)²⁴ in their respective studies.

CONCLUSION

Rape victims usually belong to young age group between 11-20 years; majority knows the assailant. Most of the cases are of gang rape. Most common genital finding is old healed ruptured hymen. The success of the efforts aimed at curbing violence against woman relies on the implementation of an integrated strategy with proper monitoring regarding laws, government policies, and role of civil society and the media.

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