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Sexual Assault Against Women in India

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Summary

In India millions of women's lives are negatively impacted by sexual violence. Gender and caste discrimination combine to make marginalized women most likely to be affected by sexual violence. The criminal justice system struggles to both try and convict perpetrators. Practices that are most effective at changing attitudes towards gender norms target both genders, with a particular focus on males. Effective victim support provides ways for victims to reassume valuable, contributing roles in their community.

Key Terms

Sexual assault — “Sexual activity where consent is not obtained or freely given. It occurs any time a person is forced, coerced or manipulated into any unwanted sexual activity.”¹

Marital rape — “Any unwanted sexual acts by a spouse or ex-spouse that are committed without the other person's consent.”²

Gang rape — “Rape of a person by several attackers acting in concert.”³

Custodial rape — “Rape perpetrated by a person employed by the state in a supervisory or custodial position, such as a police officer, public servant, or jail or hospital employee.”

Intent to outrage modesty — A cultural term referring to precursors of forcing someone to perform a non-consensual sexual act; includes removing a woman's clothes without her permission or forcing her into a secluded space.^{4,5}

Purdah — A religious and social practice of female seclusion intended to protect a woman's honor (since the honor of a woman's family resides in the woman's sexual purity);^{6,7} a woman that loses that purity from extramarital relations shames her entire family.⁸

Female foeticide — “The practice of aborting a fetus when a person finds out that the fetus is female after undergoing a sex determination test.”⁹

Scheduled caste — “The official name given in India to the lowest caste, considered ‘untouchable’ in orthodox

Hindu scriptures and practice, officially regarded as socially disadvantaged.”¹⁰

The caste system originally comprised four levels, but eventually a fifth level developed; members of this bottom caste are sometimes unofficially called untouchables or Dalits.¹¹

Scheduled tribe — “An indigenous people officially regarded as socially disadvantaged.”¹²

Introduction

For decades, sexual assault has been recognized as an issue in India.^{16,17} In late 2012, a young, female medical student was brutally gang raped on a bus in New Delhi. She died two days later from the resulting injuries.¹⁸ This incident sparked a national conversation about gender inequality and sexual violence that continues today.¹⁹

Sexual assault in India primarily affects women.^{20,21} Reports of how many women are affected by sexual violence in India vary widely. The most reliable source, the NFHS, states that 8.5

National Family Health Survey (NFHS) — “A large-scale, multi-round survey conducted in a representative sample of households throughout India.”¹³ The round frequently cited in this brief surveyed 83,703 women.¹⁴

Honor killing — “The traditional practice in some countries of killing a family member who is believed to have brought shame on the family.”¹⁵

percent of women report being victims to sexual violence at least once in their lifetime.²² Worldwide, there is a wide gap between reported prevalence and actual prevalence; reported numbers are almost always an underestimation of actual prevalence.²³ Evidence suggests only 1 percent of victims of sexual violence report the crime to the police.²⁴ Thus, 8.5% should be considered only a small fraction of actual victims. Even as a modest estimate, an 8.5% prevalence of sexual violence affects an estimated 27.5 million women.²⁵

Although underreporting sexual assault is a problem throughout the world,^{26,27}

the cultural and societal makeup of India creates some distinct challenges that keep a large majority of victims from reporting crimes. Though not an exhaustive list, the following are major reasons for underreporting in India:

- Males hold a disproportionate amount of the power in families²⁸ and communities;²⁹ this power structure is both expected and accepted by the majority of females.³⁰
- Strong cultural attitudes of victim blaming often condemn the victim^{31,32,33} instead of the perpetrator.
- Because a family's honor is tied to the daughter's purity, rape shames the entire family, making victims and their families reluctant to speak out about incidences of sexual assault.^{34,35}
- Attackers prey upon victims from lower socioeconomic classes and are thus not held accountable for their actions.^{36,37}
- Police officers sometimes do not take reports seriously³⁸ and, in some cases, are even the

perpetrators themselves.³⁹

- The criminal justice system has a low conviction rate and takes excessive amounts of time to process sexual assault cases, sometimes dragging them out over multiple years.⁴⁰
- Marital rape is not recognized as a crime in India.⁴¹

Reported rape cases in India rose from 24,206 in 2011 to 34,661 in 2015—an increase of over 10,000.⁴² Some attribute this rise to increased reporting because of increased media coverage, decreasing social stigma, and encouraging reporting.⁴³ Others, however, believe that incidents are actually increasing in number—concluding that increased reporting does not account for the entire 10,000 case increase.⁴⁴

Sexual violence frequently first occurs early in a woman's life (from ages 15—19).⁴⁵ Marginalized women are the most vulnerable to sexual violence; Women who are living in poverty, are living in rural areas, have little to no education, or are divorced or have been

deserted by their husbands have the highest rates of sexual assault in their respective age groups. By social class, women in the scheduled caste report the highest incidence of sexual violence, while women in the scheduled tribe have highest incidence for any ethnic group in India. Experts suggest that both of these marginalized populations are especially vulnerable because of their circumstances; they often live in impoverished, secluded communities, use exposed latrines, work alone, and travel alone.^{46,47} Additionally, with little to no knowledge of rights, limited access to attorneys, and no money for court fees, they typically lack the resources to exact punishment for the perpetrators.⁴⁸ Eastern regions in India tend to have high poverty rates,⁴⁹ and also have the highest incidence of sexual assault;^{50,51} one study indicated a prevalence rate as high as 25 percent.⁵² Among married women, sexual violence is most commonly perpetrated by the current husband. By contrast, among never-married women, offenses are most commonly made by relatives

other than the father or stepfather. For women as a whole, 95.5 percent of offenders were known by the victim.⁵³

Contributing Factors

Gender Inequality

Cultural Traditions

Sexual assault is more likely to occur in cultures where males are viewed as superior.⁵⁴ In India, male superiority is prevalent. The Global Gender Gap Index, which tracks national indicators of gender equality, ranks India 87 out of 144 countries.⁵⁵ Results of a survey given show that 54.4 percent of Indian women agree that a husband is justified in beating his wife for at least one of the reasons specified in the survey.⁵⁶ Some Indian traditions that have been practiced for centuries are evidence of male dominance and reinforce gender disparate attitudes.^{57,58}

- Over 80 percent of Indians identify themselves as Hindu.⁵⁹ Hindu perceptions of gender are

informed by a wide range of Hindu myths.⁶⁰ One cultural interpretation stemming from these myths is that woman's role is subservient to man's.⁶¹ This view emphasizes that a woman's place is serving her husband in the home.⁶²

Hinduism as a whole teaches that men and women are equal and does not condone violence against women, but certain cultural interpretations of Hindu myths reinforce beliefs that perpetuate high sexual assault rates.⁶³

- Traditionally, Indian women have lived with their husbands and in-laws. Originally, to safeguard against economic hardship, a bride's family would voluntarily send her with a dowry of money and gifts.⁶⁴ Over time, this practice has evolved and a bride's family is now expected to supply the groom with money and gifts, regardless of willingness or financial situation.⁶⁵ Although

outlawed since 1961, this practice still exists and grooms often ask for high dowries.⁶⁶ Dowries result in a daughter being viewed as a financial burden.⁶⁷

- When a boy is born, Indians celebrate through a variety of customs, including beating a thali (a metal plate), folk dancing, or giving sweets to the community.⁶⁸ Most communities do not celebrate when a girl is born.⁶⁹
- The concept of purdah emphasizes that a family's honor is determined by the daughter's actions;⁷⁰ if she covers her body, practices abstinence before marriage, and complies with her arranged marriage, her family is socially esteemed. If not, they are disgraced.⁷¹ Additionally, because daughters embody a family's honor, they may also be punished for males' dishonorable actions.⁷² Though this concept has religious

origins, honor violence is not sanctioned by any religion.⁷³

These traditions reinforce the attitude that women are subservient to and less valuable than men.⁷⁴ In modern India, the degree to which these traditions are observed varies by region, but the prevailing perspective that women are subordinate to men remains.⁷⁵ Male superiority contributes to sexual violence in a variety of ways.

Purdah is connected to sexual violence—purdah-induced sexual violence is most commonly seen in traditional (mostly rural) areas.⁷⁶ This violence is threefold. Village leaders, acting outside of Indian law, may order that a woman be raped to punish a male relative for his wrongdoings, such as stealing or committing adultery.^{77,78} Further, women who act contrary to traditional rules themselves can also be punished by rape.⁷⁹ Finally, rape victims may be blamed for shaming their families; they are sometimes punished or even killed. Though not all are attributable

to sexual assault victims, approximately 1,000 honor killings occur in India every year.⁸⁰ While there is an apparent connection between purdah and sexual violence, data has not been collected to prove this connection or show how widespread this type of sexual violence is.

As in other regions of the world, victim blaming contributes to sexual violence in India. When asked why a rape occurs, reasons such as “the woman dressed immodestly,”⁸¹ “the woman was outside after dark,”⁸² or “women should be more cautious” are commonly cited in Indian media.⁸³ The idea that women necessitate violence through their actions wrongfully transfers blame from the perpetrator to the victim.⁸⁴ Victim-blaming attitudes are strongly associated with increased hostility and sexual aggression towards women.⁸⁵

Marriage

Gender-disparate marriages leave married women vulnerable to [sexual assault](#).⁸⁶ In India, marriage is a highly valued social institution; a woman’s primary-status roles

are marriage and motherhood.⁸⁷ Within marriage, wives are expected to take on a passive role, while husbands assume an active, dominant role.⁸⁸ This power dynamic leads to the perspective that men have a right to sex, with or without consent.⁸⁹ As mentioned previously, among married women, sexual violence is most commonly perpetrated by the current husband. Studies show that 14.1% of Indian women agree that a husband is justified in beating his wife if she refuses sexual intercourse.⁹⁰ Further, offenders cited a sense of sexual entitlement as their most common motivation, even more than gratification.⁹¹ Subsequently, violence within marriage has been normalized.⁹² Because of this normalcy, **marital rape** is still not considered a crime in India.⁹³ Married women have no access to justice which leaves them essentially defenseless. Adolescent brides (ages 15-19) are the most vulnerable to **marital rape**, reporting a 13.1 percent prevalence.⁹⁴ This is most likely because child marriage is still widespread; 47 percent of women are married by the age of 18.⁹⁵

The gender disparity in marriage also contributes to divorced and deserted women having the highest rates of sexual assault at 24.6 percent.⁹⁶ Men are given the primary right

to the financial resources in a marriage,⁹⁷ and a large majority of divorced and deserted women were financially dependent on their husbands.⁹⁸ Despite legal reform of women's right to property in 2005,⁹⁹ the amount of property and financial assistance these women receive remains insignificant.¹⁰⁰ These women live in extreme deprivation.¹⁰¹ Their circumstances are worsened by the social stigma that surrounds deserted women and divorcees.¹⁰² Most are denied work; 41.5 percent report having no income.¹⁰³ Those that find work typically earn amounts below the poverty line.¹⁰⁴ Some return to their maternal homes, but others are rejected by their families and are forced to support themselves on a meager income.^{105,106} Further, 85.6 percent report having children, which uses even more of their already limited resources.¹⁰⁷ These factors combine to make divorced and deserted women extremely vulnerable to sexual assault.¹⁰⁸ They are mistreated by society at large, lack financial security, travel alone, often lack family support, and in some cases live alone in impoverished areas.¹⁰⁹

Education and Employment

Gender inequality in education and employment contributes to sexual violence. Though India has made gains

in areas such as younger girls' primary, secondary, and even tertiary education enrollment, there are still significant gender gaps in the educational attainment of the older generation as well as their economic participation.^{110,111,112} Only 63% of adult women are literate.¹¹³ Further, for every 100 males in the labor force there are only 34 women.¹¹⁴ Low levels of education and lack of employment opportunities are both associated with an increased risk of sexual violence.^{115,116} This is most likely because both decrease a woman's autonomy, giving her less control over her life and making her more likely to be the target of sexual violence attempts.¹¹⁷

Despite the current disparity in education and employment,¹¹⁸ a growing number of women are challenging these traditionally male dominant areas.¹¹⁹ Female enrollment in Indian higher education rose from 39 percent in 2007 to 46 percent in 2014.¹²⁰ Women who challenge customary gender roles are initially at an increased risk of sexual violence as

they threaten men's sense of control over women.¹²¹ However, once levels of education high enough to achieve increased access to resources, financial stability, and social standing are attained, that education becomes protective and risk decreases.^{122, 123} Thus, societies in gender-relation transitions, like India,¹²⁴ face an increased but temporary risk of greater amounts of sexual violence.

Male to Female Ratio

India has one of the lowest female-to-male ratios in the world¹²⁵ and some argue that this is a main contributing factor to sexual violence. The 2011 census reported that there were 940 females per every 1,000 males (37.3 million more men than women);^{126,127} this imbalance is caused both by the practice of female foeticide and a rapid decline in fertility.¹²⁸ The ratio imbalance results in increased competition among males for females.¹²⁹ Because this increases the frustration, loneliness, and lack of stability experienced by males some argue that it contributes to sexual

violence.¹³⁰ However, research has yet to confirm a direct correlation between sex ratio imbalance and increased incidence of sexual violence.

Poverty

Women living in poverty are more likely to experience sexual assault. Despite India's rapidly growing economy, an estimated 276 million Indians live in poverty.¹³¹ According to the World Bank, 23.6% of Indians live on less than \$1.25 per day.¹³² Of those living in poverty, 72.4% are part of groups called the Scheduled Caste or Scheduled Tribe (SC/ST).¹³³ The SC/ST comprises nearly a quarter of India's overall population (nearly 300 million people).¹³⁴

Rooted in Hinduism, the caste system, established as early as 1500 BCE, divided Indians into social groups.¹³⁵ This caste division was determined by birth and last names served as an indicator of caste; caste level then determined occupation.^{136,137} Originally, only four levels existed, but over time a fifth level developed.¹³⁸ Members of this fifth caste were given the most menial

jobs including sweeping gutters, cremating bodies, and cleaning latrines.¹³⁹ They were ostracized and segregated from the rest of society.^{140,141} This caste is identified today by several titles: harijats, dalits, untouchables, and Scheduled Caste.¹⁴² Scheduled Tribes, on the other hand, are India's indigenous people.¹⁴³ Considered the earliest inhabitants of India, this group endured invasions and harassment of a variety of groups throughout history.¹⁴⁴ SC/ST populations have faced similar types of discrimination and economic hardship for centuries^{145,146} although the origin of that discrimination is different for the two groups. Today, the majority of SC and ST populations do not own land; they lack education and employment opportunities that would enable them to rise out of poverty.¹⁴⁷ They continue to be given menial tasks and meager compensation.¹⁴⁸

High levels of poverty and discrimination combine to make SC and ST women frequent targets of sexual assault. Their financial instability contributes to their sexual mistreatment¹⁴⁹ because it compounds

the powerlessness they often face as women. SC and ST women subsequently lack power on three levels: gender, social caste, and economic status. Men with authority over them, including landlords, police officers, employers, and husbands, exploit their positions of power through sexual assault.¹⁵⁰ Many SC and ST women have even been forced to become prostitutes.¹⁵¹ Further, because caste and tribal discrimination are socially sanctioned, these offenders often escape legal punishment.¹⁵² Research indicates that “less than 1 percent of the perpetrators of crimes against SC women are ever convicted.”¹⁵³ When offenders go punishment free, they are more likely to be repeat offenders.^{154,155,156} This creates a cycle where vulnerable SC/ST women are targeted but lack financial resources and social clout to exact punishment. Then, their attackers go unconvicted and the cycle starts again. Roughly 10.6 percent of SC/ST women experience sexual violence in their lifetime, a rate higher than their

counterparts in higher wealth indexes.¹⁵⁷

Criminal Justice System

Failure of the criminal justice system to protect women and punish offenders contributes to sexual assault. Studies show that most police officers lack investigation skills of basic evidence gathering: from 2006–2007, of the cases investigated, only 19 percent involved any use of scientific investigation.¹⁵⁸ Many cases taken to the police are never investigated.¹⁵⁹ Further, police often refuse to even register cases,^{160,161} studies show that for every registered rape case brought to the police 70 went unregistered.¹⁶² Because registry is the first step to prosecution, the judiciary process never even begins for these unregistered cases.¹⁶³ This refusal of sexual violence registration is most likely due to a combination of police habits of under-registering crime¹⁶⁴ and gender bias against women.¹⁶⁵ When police initiate investigation, health providers have the crucial responsibility of collecting forensic

evidence. Out-of-date examinations, deemed unscientific by the Indian Supreme Court, are still widespread in Indian hospitals. These examinations do not provide proper evidence. When more current examinations are conducted, the collected evidence is often inadequate or stored improperly and deemed unusable. Further, gender-insensitive techniques, such as checking if they are sexually active, are also present; misleading results have been used in court to claim consent and blame the victim. Few offenders tried in court are ever convicted. Courts report remarkably slow trials. Indian trials in general take an average of 6 years; comparatively, sexual assault trials in Canada take an average of 300 days.^{166,167,168} The slow pace is most likely due to:

- A shortage of judges: there are approximately 16.8 judges for every 1 million people.^{169,170,171}
- The slow transition from an ineffective paper filing system to a computerized system.¹⁷²
- Bribes and corruption: wealthy offenders have been reported to

bribe judiciaries to slow the process and escape jail time.^{173,174}

India also has no victim or witness protection program. Victims and witnesses become reluctant to testify which leads to cases being dropped. Even when a trial is completed, conviction rates are low. India's rape conviction rate was 29.37 percent in 2015;¹⁷⁵ fast track courts specifically created to handle sexual violence crimes have an even lower rape conviction rate of 5—10 percent.

Studies show that when anticipation of being convicted is high, fewer crimes are committed.¹⁷⁶ When unsound investigations, poor evidence, and low conviction rates are the norm, offenders do not anticipate punishment and are not deterred from committing sexual assault.¹⁷⁷ As a result, sexual assault offences remain widespread. A criminal justice system that allows offenders who abuse women to walk free reinforces the acceptability of female inferiority. Acceptance of female inferiority remains within the police

force, hospitals, and courts. Offenders continue to go free and the cycle repeats itself. By failing to serve as a deterrent to crimes, the criminal justice system contributes to sexual violence.

Consequences

Social

Sexual assault leads to a variety of social consequences:

- Children who are exposed to violence in their homes are at greater risk of emotional and behavioral difficulties, including being perpetrators of violence later in life.¹⁷⁸
- Victims and their families are severely stigmatized by their community;¹⁷⁹ often, they suffer constant humiliation.¹⁸⁰
- Unmarried victims are often deemed ineligible for marriage and subsequently rejected by their communities. In severe cases, victims are encouraged to marry the rapist to reclaim social standing.¹⁸¹

- Married victims of non partner violence are sometimes abandoned.¹⁸²

Often, the social consequences of sexual assault result in mental health issues.

Past experience of sexual violence and risk of mental illness are strongly correlated.¹⁸³ Women who have experienced sexual assault have the highest prevalence of mental illness. Though a wide variety of disorders may occur, the most common mental illnesses include depression, anxiety, and post-traumatic stress disorder.^{184,185}

Studies indicate that intimate partner victims experience these disorders with greater severity than non partner victims. This is significant considering intimate partner violence occurs frequently in India. Even with counseling, 50 percent of victims retain symptoms of their disorders in the long term.¹⁸⁶ Additionally, victims of sexual assault are more likely to die by suicide than other groups. Although often connected to mental illness, this

increased risk is present even in the absence of mental illness.¹⁸⁷

Physical

While physical effects range widely and are case specific, unwanted pregnancy and STDs are particularly concerning. Rape-related pregnancy rates vary throughout the world and largely depend on the rate of contraceptive use.¹⁸⁸ While India has a 56 percent rate of contraceptive use,¹⁸⁹ research on India's rate of rape-related pregnancy has not yet been conducted. As a benchmark, Mexico, which has a 52.7 percent rate of contraceptive use,¹⁹⁰ reports a 15—18 percent rape-related pregnancy rate.¹⁹¹ In the case of rape, Indian law allows for abortions up to 20 weeks into pregnancy.¹⁹² If abortion is not allowed, such as in cases past the 20 week mark,¹⁹³ victims may opt for unsafe, back-street abortions.¹⁹⁴ In cases where abortion does not take place, the child may face a high risk of consistent rejection by families and communities throughout his or her life.¹⁹⁵

Sexual assault victims are at an increased risk of HIV infection and other sexually transmitted diseases.¹⁹⁶ In India, studies have shown that the high cultural tolerance for male-inflicted violence decreases women's ability to negotiate methods for preventing STDs which increases this risk even further.¹⁹⁷ Although not all HIV cases can be attributed to sexual assault, an estimated 2.4 million Indians are living with HIV—the 3rd largest HIV population in the world; 39 percent of these cases are women.¹⁹⁸

Economic

Sexual violence can result in lost employment and productivity.¹⁹⁹ Victims who work or aspire to work are hindered because sexual assault is directly tied to their social standing as well as their mental and physical health. For each incidence of sexual violence, an Indian woman loses an average of at least five paid work days.²⁰⁰ Further, the risk of sexual violence alone affects women's employment. Women may reduce work hours or even quit a job if they feel that

traveling alone after dark is too dangerous.²⁰¹ After the New Delhi gang rape in 2012, women's productivity in the IT sector dropped by nearly 40%.²⁰² In cases of adolescent abuse, educational attainment is also affected. Studies found that children who have been sexually abused have poorer school achievement than their non-abused counterparts.²⁰³ Some Indian schools have asked rape victims to leave, claiming that their attendance taints the school's image.²⁰⁴ Lower achievement tends to follow these victims through their lives; adolescent victims have lower educational and occupational attainment in adulthood and make 14 percent less per hour than their similarly situated counterparts.²⁰⁵ These findings are significant considering that most victims' first experience with sexual assault occurs before the age of 20. Though lack of educational attainment impacts economic productivity, first and foremost it hinders a woman from achieving her potential.

Practices

Solutions tend to fall into three categories: victim support, prevention, and a combination of both. Both victim support and prevention play a crucial role in eradicating sexual violence against women in India.

Victim Support: Counseling Services and Support Groups

Many organizations offer mental health services in a variety of forms including one-on-one counseling, family counseling sessions, and support groups with fellow survivors of abuse. The main goal of counseling is to enable victims and their families to overcome the trauma of sexual assault and return to their normal, daily routines. Most organizations offer both individual and group counseling, with slight variations depending on the organization.

One variation is partnering with the police to find victims that are in need of counseling services. Vikalp Sansthan, for example, has created a counseling center that is located at the Women's police station in Rajasthan.²⁰⁶ As victims

come to report crimes, they are also offered counseling and support services.²⁰⁷ Similarly, Disha has set up a support desk at a police station in Maharashtra.²⁰⁸ The support desk is run each Saturday by a social worker who collects the needed information to conduct a follow-up visit at the victim's home.²⁰⁹ Disha also finds victims through their helpline and referral system.²¹⁰ Following the home visit, Disha conducts a counseling session with both the victim and family.²¹¹ After initial trauma counseling, Disha provides support groups for long term recovery.²¹²

Another variation is facilitating recovery by training survivors to become advocates. Rahi, an organization that focuses on victims of child sexual abuse, conducts advocacy trainings in New Delhi through a program called The Firebird Project.²¹³ Any victim/survivor over 21 can apply to become an advocate, although those who have attended counseling are preferred.²¹⁴ Each candidate's readiness is assessed by a mental health professional in an interview.²¹⁵ Once a

candidate passes the interview, they participate in a two day workshop.²¹⁶ At the workshop, they discuss their experiences with fellow survivors, learn how to manage group discussions and give presentations, and create a personal social action plan.²¹⁷ The social action plan varies according to each victim's interests and skills.²¹⁸ Following the workshop, the survivors carry out their plans in their individual communities.²¹⁹ Rahi is the first organization to attempt this kind of intervention.²²⁰

Impact

Research indicates that individual therapy and group therapy result in similar levels of improvement in post-violence mental and emotional health issues.²²¹ However, group sessions are especially common because multiple victims can be helped at once. Studies found that group sessions are most effective when participants are united in a shared purpose and when the group has two leaders rather than a single individual.²²² While each

organization's group seems to have a shared purpose, it is unclear whether there are one or more group leaders in each group. Talking simply in outputs, Disha has reached 5,320 victims through group sessions;²²³ output numbers for Vikalp Sansthan cannot be found.²²⁴ Because Rahi's Firebird project was implemented recently, there is currently no impact or output data.²²⁵ Rahi mental health professionals, however, are confident that "social action is a powerful way for survivors to transform their trauma."²²⁶

Gaps

- More data is needed to determine the specific strategies for counseling that are most effective—groups led by professionals vs. victims, solely victim counseling vs. victim with family counseling, etc.
- Because of the shame surrounding sexual violence, victims who need counseling the most do not often seek out psychological help. As a result,

this intervention remains underutilized. Organizations that use several methods of finding—hotlines, support desks, referrals, etc. seem to reach a larger number of victims in need and are thus more effective.

Victim Support: Legal Reform

In response to the widespread protests from the 2012 Delhi gang rape case, the Indian government passed new, stricter sexual violence laws.²²⁷

The Criminal Law (Amendment) Act, 2013 changes include, but are not limited to the following:^{228,229}

- stalking and sexual harassment have become legitimate crimes
- police officers who refuse to open cases for sexual violence complaints can be punished by law
- rape cases are now required to be heard daily and must be resolved within two months of filing the case
- the death penalty is allowed for rape perpetrated by a repeat

offender or rape that leads to the victim's death

- the punishment for gang rape, rape of a minor, and rape by police or public officials was raised from 7-10 years to a minimum 20 years of imprisonment

Impact

After the amendment was adopted, conviction rates increased. From 2012 to 2013 the rape conviction rate rose by 3%²³⁰ (from 24.2% to 27.1% 2013). That rise continued into 2015 with a 29.4% conviction rate.²³¹ Despite the rise in conviction rates, it is impossible to conclude whether the rise was caused by the amendment or some other factor.

Gaps

- Conviction rates vary widely from state to state (anywhere from 5.9-85.7%).²³² Why there is such a large range is unclear. In order for the new laws to improve country-wide conviction rates, states with

lower conviction rates need to be individually addressed.

- Courts' capacity to implement changes is low because of an extensive backlog of cases.
- The new laws leave certain populations legally defenseless. Marital rape is still not considered a crime. Victims of sexual assault perpetrated by Indian security forces cannot prosecute without government permission;²³³ these cases rarely make it to courts.²³⁴

Prevention: Gender Equality

Education

Many organizations have created gender equality education programs. These programs are primarily implemented in schools and communities. The goal of these programs is to change attitudes towards gender by educating children, their parents, teachers, and the community as a whole.

One variation of this practice is implementing gender equality curriculum in all girls schools. One

organization, Study Hall, has an all girls school by the name of Prerna in Uttar Pradesh that was created in 2003.²³⁵ The girls who attend this school all come from economically poor backgrounds and are selected from the surrounding slums and communities.²³⁶ Gender equality education is central to Prerna's curriculum.²³⁷ Along with math and science classes the girls attend a gender equality class.²³⁸ Each day the girls participate in open discussion about their current, everyday challenges, about how to resist discrimination in the future, and about each girl's worth and value.²³⁹

Another variation of this practice is implementing gender equality curriculum in already established institutions. One organization, Breakthrough, does this by training teachers who are then supported by Breakthrough staff.²⁴⁰ Teachers of students in grades 7-8 are trained on how to educate youth about gender equality.²⁴¹ Activities and discussions related to gender issues are then planned into the school curriculum.²⁴²

Peer-led clubs are also organized to build awareness about gender issues.²⁴³ A core element of this intervention occurs two to three times a month; Breakthrough staff lead classroom discussions where students discuss different aspects of gender inequality.²⁴⁴ The intervention targets both male and female students.

Impact

Research on the efficacy of gender equality education is limited; the available research, however, indicates that programs which lasted at least three years and used gender equality curriculum at least weekly with both male and female students were successful in shifting student's attitudes.²⁴⁵ In terms of outputs, Prerna provides education to over 800 girls; these girls perform 20% points higher than the national average on their exams.²⁴⁶ Additionally, 88% of Prerna students move on to higher education.²⁴⁷ Though impact data is not available, Study Hall's website publishes success stories of their students completing college and

asserting their value.²⁴⁸ It seems that Breakthrough's intervention is the most impactful. The program has been implemented in 314 villages among 14,855 students.²⁴⁹ Breakthrough's programs began in 2014 and will be completed in 2017.²⁵⁰ Thus, a full impact report is not yet available. However, the available survey data indicates a positive impact. Of the respondents, 85% believed that boys' behavior toward girls had changed.²⁵¹ Respondents reported that the boys have become more polite and respectful towards the girls.²⁵² Additionally, the program reports impressive retention results and 90% of students can identify various forms of gender discrimination.²⁵³

Gaps

Gender equality education programs seem to be most effective when they reach a wide variety of ages of both genders. All girls' programs could target boys as well. Age specific programs could be extended to cover a larger range of ages. Further, there seems to be a general gap in programs

that target adult males. Additionally, although Breakthrough's program and Prerna are reaching over 15,000 individuals, it is essential that programs be scaled nationwide to reach full potential for impact.

Prevention: Media Campaigns

The use of media campaigns is a modern, recent intervention that uses multimedia (including social media channels) and pop culture to provoke nationwide conversations about gender issues.

One variation of this practice is using community correspondents to record and report gender injustice. One organization, Video Volunteers, uses a team of local correspondents (many who are women) to report, by video, about issues occurring in their communities.²⁵⁴ Only correspondents from marginalized populations are selected.²⁵⁵ Once correspondents are selected, they receive training on how to record their own stories and begin posting reports.²⁵⁶

The reported stories cover a wide range of issues, including gender inequality and gender based violence.²⁵⁷ Because only 2% of content in mainstream media addresses the issues of the rural areas, Video Volunteers focuses on rural communities.²⁵⁸

Another variation of this practice is using hashtag campaigns.

Breakthrough created a campaign titled #shareyourstory. The goal of this campaign was to sensitize boys and men to sexual harassment and its negative effects. Women were encouraged to share their stories of sexual harassment with their sons and then post them to a social media outlet using the hashtag. The hashtags are also circulated by promotional videos, websites, print ads, and news agencies. The hope is that use of media will circulate and create increased awareness of and discussion about these issues. Organizations such as Sayfty also employ hashtag campaigns.

Impact

Although no conclusive data exists on the impact of media campaigns, it is clear that media campaigns reach large masses of people. In some cases, sources indicate that media results in intervention by officials and issue resolution. In terms of outputs, Video Volunteers has created over 500 videos about gender discrimination.²⁵⁹ Some of these videos resulted in government action and issue resolution.²⁶⁰ Further, Breakthrough's #shareyourstory campaign reached over 4 million people.²⁶¹

Gaps

- Rural populations have disproportionately less internet access; populations that are most affected by sexual assault and other gender-based issues are unaware of the reports and campaigns. Many rural populations are unable to participate in discussions on social media.
- Until impact research is conducted, it is impossible to

determine if media campaigns actually change gender attitudes and impact sexual assault.

Prevention: Watchdog Groups

Watchdog groups are community-organized groups that attempt to supplement police efforts to prevent sexual assault against women. A few variations exist.

One variation is female-led watch groups. In Uttar Pradesh, a group called the Red Brigade is comprised of all females and watches for any form of sexual harassment. Each member of the Red Brigade has experienced some form of sexual harassment. If any member on patrol notices a boy teasing or troubling a girl, they intervene and ask the boy why he is behaving that way. From there, Red Brigade members complain to the boys' parents and file a complaint with the police. Red Brigade members are trained in self defense; they also encourage women from the community to take classes. Thus, if a boy continues to trouble a girl the Red

Brigade humiliates or uses physical force to get him to stop.

Another variation is children-led watch groups. An organization called Diksha, located in West Bengal, created this specific variation.^{262,263} The creator of Diksha asked children what they want to change about their community. Children then came up with their own solutions.^{264,265} The children subsequently assembled into a watchdog team called The Community- Based Resource Team (CBRT) whose sole purpose is to identify and stop gender based violence.²⁶⁶ The CBRT watch for violence 24/7. Upon discovering a girl being forced into marriage, brought into the prostitution district, or anything suspicious, CBRT members immediately report the incident to the police and a Child Welfare Officer. All youth that become members of the CBRT are trained by other youth who are more experienced CBRT members.

Impact

The impact of watchdog groups seems to vary by group. Research on what

makes some groups effective has not yet been conducted. In terms of outputs, the Red Brigade has over 100 members. Additionally, since the group formed, 35,000 women have been trained in self defense. Though a rough estimate, Red Brigade reports that sexual assault seems to have decreased by 50% in Red Brigade's main slum. Diksha, centered in one of India's worst Red Light Areas, reports encouraging results. Diksha reports that in the last ten years the youth's efforts have produced the following results in Kolkata, West Bengal:²⁶⁷

- completely put an end to second generation prostitution and pimping (in other words, children of sex workers did not become involved in sex work like their parents)
- reduced all forms of domestic violence by 60%
- ended psychological humiliation of girls in schools
- reduced sexual abuse attempts on children by more than 70%

Gaps

- Diksha's research methods are unavailable so it is difficult to confirm the validity of the reported statistics.
- Despite efforts to spread this intervention, watchdog groups are still largely absent on a national level. To have true impact on all vulnerable populations, the model would need to be implemented throughout India.

Combination: Legal Support

Because many victims of sexual assault lack the ability or resources to navigate the Criminal Justice System on their own, some organizations provide legal assistance. Legal assistance may include educating victims on their rights,²⁶⁸ helping victims to file a claim with the police, helping victims navigate the court system,²⁶⁹ and even providing legal representation in court.²⁷⁰

Often, organizations provide some but not all of these services. One variation is providing legal assistance

throughout the justice process. Located in Pune, Maharashtra, Sahyog Trust conducts legal literacy workshops to educate victims about their rights, provides legal consultations via direct conversation and phone, files suits for victims, and supplies representation in court.²⁷¹ To assist victims located outside of Pune, Sahyog Trust reaches out to lawyers in surrounding areas that are willing to provide free services.²⁷²

Another variation of this practice is training former victims to provide legal assistance to fellow victims. This practice was created by the organization Jan Sahas.²⁷³ Realizing that the justice system is particularly inaccessible for SC victims, Jan Sahas focuses specifically on this population. Victims who have been supported by the organization can volunteer to receive paralegal training and become “barefoot paralegals.”²⁷⁴ These barefoot paralegals help victims file claims correctly. Filing claims correctly can be crucial to the success of these cases; cases that are filed as a “Dalit Atrocity” are advanced to a special

court.²⁷⁵ If requested, paralegals can receive even more training to become legal advocates.²⁷⁶ From there, Jan Sahas’s network of lawyers counsels victims through the legal process, supports both victims and witnesses, and provides representation in court.²⁷⁷ Each of the lawyers have also experienced some form of discrimination and empathize with SC clients.

Impact

There is a lack of data on the overall impact of legal assistance. Currently, no output or impact data for Sahyog Trust exists, making it difficult to determine its reach and efficacy.²⁷⁸ Strictly in terms of outputs, Jan Sahas reports a network of 450 lawyers, 800 barefoot paralegals, and 600 advocates who have assisted in over 2,000 SC rape cases.²⁷⁹ This variation seems to be highly effective. The conviction rate of SC rape has risen from 2% to 38% across five states in Northern India.²⁸⁰ Of victims who received support from Jan Sahas, 65% have asked to be trained as paralegals.²⁸¹ It is important

to note, however, that the methodology behind these reported numbers could not be confirmed. Providing a means for victims to take on productive roles in their community seems to be an important element of both victim support and violence prevention. Further, practices that increase conviction rates may deter further crime by increasing offenders' fear of imprisonment.

Gaps

- There is a lack of impact data on legal assistance.
- Typically, legal support is provided by anyone willing. However, selecting volunteers that can empathize with victims seems to be a key element in raising conviction rates. Organizations should be more mindful of who they select to work with victims.
- Even when prosecution is achieved, victims of sexual assault face serious repercussions. Often, support ends when a case is adjourned.

Interventions that enable victims to reassume valuable roles in their communities, specifically in the legal space, are most successful in victim support as well as crime prevention.

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