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# **Systematic investigation of Knowledge, Attitudes and Practices by Police in Sexual offences**

**Kanika Panwar**

## **Abstract**

The violence against women in its many forms including, physical and sexual is a global social problem. Police personnel are the major stakeholders in addressing this problem, so it is important to have an understanding of their knowledge (K), attitudes (A) and practices (P). As a part of primary data based exploratory research, this article highlights the knowledge, attitudes and practices followed by police personnel in cases of sexual offences through KAP study. It is found that the knowledge of police personnel related to the laws pertaining to sexual offences is up to the mark and regular efforts by the departments and seniors are also done regularly to update the force. Regarding attitudes of police personnel it was observed that there is a need to reform the attitudes to be more sensitive and empathetic towards the victims. As far as practices are concerned, it was found that the paperwork related to the practices was found to be updated. But in reality also things need to be improved. The article concludes with observations on the need of resocialization and the sensitization of police force towards victims of Sexual offences.

**Keywords:** Knowledge, Attitudes, Practices, Police, Sexual Offences, Sexual Violence

## **Introduction**

Sexual violence against women is a huge public health concern that has taken on a variety of manifestations. According to WHO data, 30% of women worldwide have been exposed to one or more types of violence, such as physical and/or sexual assault at the hands of a spouse or non-partner (WHO, 2021). Sexual violence is

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“any sexual act, effort to acquire a sexual act, or other coercive act intended against a person’s sexuality by anybody, regardless of their connection to the victim, in any environment.” (WHO, 2021).

COVID-19’s limits on travel, as well as its socioeconomic effects on families, have made women more vulnerable to threats and hazards, while also preventing them from seeking aid. Such crisis scenarios exacerbate current violence and may result in the emergence of new forms of violence.

The law enforcement agencies assume a greater importance when they deal with the cases of sexual violence in new forms and heightened severity. The Criminal law (amendment) act 2013 brought into force as aftermath of Nirbhaya case to cater to sexual violence against women is one of the acts which has given sharper tools to the law enforcement agencies. The purpose of these laws can be realised only if the police has sufficient knowledge of about when and how to use these laws. The level of awareness of police related to the Criminal Law(amendment) Act 2013 and other laws related to sexual violence becomes all the more important to achieve higher rates of conviction and speedy justice. Police is the first responder to the victim of sexual violence and their awareness and attitude towards the laws aids in comforting victims to ensure justice and support.

Literature on police and sexual violence victims range from providing an insight of sexual violence victim’s perspective of the law enforcement (Brooks and Burman, 2016; Campbell, 2006; Rich, 2014; Rumney, 2008) or police and legal professional’s perspectives (Regehr and Alaggia, 2006) analysis of transcripts of trial for convictions (Burman et al., 2007) to the studies interpreting metadata from criminal justice agencies, including police (Hester and Lilley, 2017; Hohl and Stanko, 2015; Kelly et al., 2005; Lea et al., 2003).Wolitzky-Taylor, K., Resnick, H. S., et al (2011a) and Wolitzky-Taylor, K., Resnick, H. S.,(2011b) examines how many women report rape (including college students) to the police and what are their experiences. Chattoraj(2006) explores various aspects of sexual offences in India and suggests different measures to prevent and control it and Bhat-tacharyya (2013) asserts that access to violence free and safe public space is the basic right of a woman.Literature on relation of sexual violence and mental health focuses on causal relationship between exposure to trauma and subsequent psychosis and victims were found to be more likely to have a physical disability, mental disability, reduced quality of life and reported taking increased days off work. (Kapur, N. A.& Windish, D. M. 2011; Smith, S. G. & Breiding, M. J. 2011, Littleton, H. L., & Grills-Taquac-

hel, A., 2011).

Research on violence against women and police attitudes suggest that it shapes the victims perception in readiness to report cases (Apsler, Cummins, & Carl, 2003) also, the attitudes of police prospectively shape the evaluation and assessment to the incidents of violence (DeJong, Burgess-Proctor, & Elis, 2008; Logan, Shanon, & Walker, 2006). Briere, J., & Jordan, C. E. 2004; Malsch, M., & Smeenk, W. 2017 report that the different attitudes of police personnel towards violence against women directly affects the reporting of these cases to law enforcement.

Inspite of availability of these studies there is a dearth of studies on police perspectives about sexual violence, their awareness on legal practices and level of implementation of these laws. Once a case of sexual violence is reported to the police, the police assumes a crucial role in decision making. It makes the initial decisions about the classification of case which leads the police to a major gatekeeping role. Inspite of the importance of police awareness and role in case of sexual violence there are a very few studies examining the awareness level of police related to legal provisions and their behaviour with the victims of sexual violence.

### **Methodology**

The present article is a part of a primary data based exploratory research study (2015-16) conducted to assess the level of implementation of Criminal Law (Amendment) Act 2013 (CLA) and laws against sexual offences with respect to the knowledge, attitude and practices of various stakeholders in terms of sexual violence in India. Present paper is a KAP study dealing with the Knowledge (K), attitude (A) and practices (P) of police personnel about implementation of laws against sexual violence. A KAP study refers to any research in which attempt is made to understand the information and knowledge possessed by people (community) about theme of research. Also, it tries to capture believes of the people and the practices followed about the research topic. For this purpose semi structured interview schedule coupled with non-participant observation was used for data collection. The respondents were selected through purposive sampling from seven divisional headquarters of Rajasthan, namely Ajmer, Bharatpur, Bikaner, Jaipur, Jodhpur, Kota, Udaipur. These police personnel were assessed on the knowledge, attitudes and practices about laws against sexual violence with focus on Criminal Law (Amendment) Act.

## **Objectives**

- O1: To find out the knowledge of police personnel with reference to implementation of laws against sexual violence.
- O2: To find out the attitudes of police personnel with reference to implementation of laws against sexual violence.
- O3: To find out the practices of police personnel with reference to implementation of laws against sexual violence.

## **Findings and Discussion**

This section is categorized according to the objectives of the study to discuss knowledge, attitudes and practices of police officers in cases of sexual offences. The first section deals with discussion on knowledge of police personnel about the laws in terms of sexual offences. Questions related to knowledge about various laws and the source of their knowledge was asked to fulfill this objective. The second section deals with the second objective of the study to find out the attitudes of police officers in cases of sexual offences. In this section the questions related to the attitudes of police personnel while dealing with victims of sexual offences are discussed. The third section deals with the practices followed by police while investigating sexual offences. These practices range from filing FIR to the process of conviction.

## **Socio- Economic profile of Police Officers**

In the present study 66 police officers were contacted for the interviews, out of these 60 were males and 6 females. Males were mostly in age group of 36-55 on designations ranging from head constable to circle officers. Female police personnel were mostly in 36-50 years age group on ranks of SI and SHO. The table no.I shows the gender-wise distribution of age and designation of the police officers with respect to sample areas.

**Table no. I Gender wise distribution of Age group and designation of Police Officers**

Variables Jaipur Jodhpur		Divisional Headquarters							Total	
		Bikaner	Kota	Bharatpur	Ajmer	Udai- pur				
Fe- male (n=6)	Age	26-30	1	-	-	-	-	-	-	1
		36-40	-	1	-	1	-	-	-	2
		41-45	1	1	-	-	-	-	-	2
		46-50	-	-	-	-	1	-	-	1
	Des- igna- tion	SI	1	-	-	1	1	-	-	3
		SHO	-	2	-	-	-	-	1	3
Males (n=60)	Age	31-35	1	-	-	-	-	-	-	1
		36-40	5	2	-	-	-	2	-	9
		41-45	6	2	-	1	1	1	1	12
		46-50	8	4	-	1	2	1	2	18
		51-55	4	2	5	2	-	2	1	16
		56-60	-	-	1	1	2	-	-	4
	Des- igna- tion	HC	4	5	3	-	2	2	3	19
		ASI	5	3	2	0	1	1	2	14
		SI	10	2	1	2	1	2	-	18
		SHO	3	-	-	1	1	1	-	6
		CI	1	-	-	2	-	-	-	3

### Level of Knowledge

To assess the knowledge of police persons about laws related to sexual offences in IPC, they were asked about awareness of the changes made in IPC (CLA 2013). It was observed that all, 100 percent respondents knew about these changes. Further they were asked about the source of information of this knowledge. These police persons were made aware about all these changes in IPC through books and literature distributed to them time to time.

The source of knowledge in most of the cases (72.72 %) were books. In some cases (15.5%) it was given by senior police officers through training programs and interactions. It shows a significant level of awareness

among the respondents regarding the changes in IPC related to sexual offences. These sources were mostly books and other literature issued to the police by government time to time. Other source was information given by senior police officer and by advocate. It was also mentioned by few police personnel that some trainings and sensitization workshops conducted by various departments by also gave them good knowledge.

**Table no. II**

**Measures taken to promote knowledge about various sections**

<b>Measures taken to promote knowledge about various sections</b>	N=66
Yes	45 (68.18)
No	21 (31.81)
<b>Mode of promotion</b>	N=66
Display of banner	35 (53.30)
Holding meetings with public	5 (7.57)
By personal interactions	5 (7.57)
No effort made	21 (31.81)

When police officers were asked if they have made attempt to promote awareness about the changes in Criminal Law (Amendment) Act 2013 in general public, 68.18 % of the police officers replied in affirmation about spreading information about these changes. 53.3% respondents replied that they promote awareness through banners and posters. 7.57% respondents spread this information through meetings with public and 7.57 % through personal interactions with different people. A significant percent-



age of 31.81% made no effort to spread this awareness. The findings are shown in table noII

### **Level of Attitudes about implementation of laws against Sexual Violence**

Various questions were asked to police personnel to assess the attitudes related to level of implementation of the amendments in IPC relating to sexual offences. These questions aimed at not only assessing the level of enactment of these amendments but also to review perception of police personnel in carrying out of these changes.

**Table no. III**

#### **Number of Complaints received in various police stations**

<b>No. of Complaints received</b>	<b>N= 66</b>
Nil	13 (19.69)
1-5	15 (22.72)
6-10	15 (22.72)
11-15	-
16-20	16 (24.24)
21-25	7 (10.60)

On being asked about the number of complaints received at the police stations pertaining to the problem of study it was observed (table no. III)that 19.69 % respondents reported receiving no complaint during this period. 22.72% reported receiving 6-10 complaints, 24.24% reported receiving 16-20 complaints. Around 10.6% respondents reported having received around 21-25 percent complaints during this period. This data was cross-checked for verifiability and validity. Showing no complaints during a

period of nine months did not matched with the regular cases reported in that area. It shows that some police personnel have a careless attitude and did not register the cases under stricter laws for want of hard work and dedication.

An attempt was made to understand the attitude of police personnel towards compassionate dealing with the victims of sexual violence and providing them the necessary counselling and guidance. Provision of counselling services for victims of violence is given by the state government at designated police stations through Non-Governmental Organisations working for women's issues. It was brought to light that only 19 police stations had mahila salah and suraksha Kendra (MSSK) at their police stations and they had provision of counseling according to the guidelines given by the State Government. Though these MSSK centers were designed with a view to cater to the needs of victims of domestic violence but the availability of counsellors at these centers help other victims as well. Almost 92% respondents told that they always guide the victims to take counseling from mahila salah and surakshakendras and around 8 % responded that they occasionally guide the victims that they should take the help of mahila salah and surakshakendras.

One respondent(Female, 35 years) reported that “the victims are often young females, who are treated with sensitivity and care in dealing with cases of sexual violence”.

**Table no. IV**

**Number of Cases registered and average time of investigation**

<b>No of cases being registered</b>	<b>N=66</b>
Increased	10 (15.15)
Decreased	55 (83.33)
Same	1 (1.51)
<b>Average Time of Investigation</b>	<b>N= 66</b>

15 Days	64 (96.96)
More than 15 Days	2 (3.03)

Respondents were further asked if the number of cases being registered after the enactment of CLA 2013 has changed. 15.1% respondents reported that the number of cases being registered has increased. This may be due to the increasing awareness among the victims and also due to the strict punitive norms being implemented in these cases after the amendments.

#### **Average time of filing charges after amendment in IPC**

The respondents were inquired about the average time required in completing the investigation and coming to conclusion of the cases after the amendments in IPC. It was reported that the average time in filing the cases has decreased making it quite convenient for the complainant as well as the police personnel to discharge their duties in time. It was really appreciable to find out that that in 95.5% of the respondents investigation is not pending and has been completed as per set limit in time, which clearly shows a change in attitude of the police personnel. In cases where charge sheet has been filed under the said sections, it was

**Table no. V**  
**Average time in filing charges and pending cases**

<b>Average time in filing charges</b>	<b>N= 66</b>
Decreased	63 (95.5)
Increased	3 (4.5)
<b>Pending Cases in Investigation</b>	<b>N= 66</b>
Nil	63 (95.5)
1-2	3 (4.5)

found that 36% respondents filed chargesheet in one case under the said sections. 20% respondents reported having filed chargesheet in all the cases to the date and 44% reported having filed charge sheet in none of the cases to the date.

### **Attitudes about Rights of Victims**

A victim has been given the right to be heard by police officers. The considerate and sensitive attitude of the police officer assumes great significance in adhering to the rights of the victims and their proper implementation. The questions asked were if the victim is heard by lady police officer, if the victim is given medical examination by a panel consisting of lady doctor. It was reported that in all the cases woman complainant is heard in the presence of a lady police officer. It is also important for a victim to receive care and sensitivity by the police personnel during examination which is often shaped by the attitudes of the police personnel. The table no.VI below presents the findings for the same.

**Table no. VI**

#### **Attitudes of police officers about examination of the victim**

<b>Woman complainant heard by woman police officer</b>	<b>N= 66</b>
Always	66 (100)
<b>Medical Examination by medical board</b>	<b>N= 66</b>
Always	42 (63.63)
Occasionally	24 (36.37)
<b>Medical Exam include Lady Doctor</b>	<b>N= 66</b>
Always	60 (96)
Occasionally	6 (4)
<b>Medical Treatment to Victims</b>	<b>N= 66</b>

Yes	12 (18.18)
No	44 (81.82)
<b>Visit of circle officer to the crime scene</b>	N=66
Always	66 (100)

The table shows that in 100 percent cases the victim is always heard in the presence of a lady police officer. Victim is always examined by the medical board in 63.63% of the cases and occasionally in 36.37% cases. On being asked whether this team includes a lady doctor, 96 % respondents reported affirmatively. They mentioned that a medical team always includes a lady doctor, whereas in 4 % cases it was in occasional situations. This shows that the police personnel tries to give the rights of victims and have a cautious attitude towards dealing with the victims of sexual violence.

It is reported that 80 per cent of the perpetrators in rape cases charge sheeted in India are acquitted due to mishandling of the cases such as, late reporting, witnesses turning away and lack of suitable medical view. One important factor behind the failure of a large number of cases in courts of law is the negative opinion given by the Medical Officers who examine the rape victims. Forensic evidence with low level of optimization often result in failure to conviction of the victimiser.

Questions were asked about the provision of medical treatment and examination to the victims, it was mentioned that in 81.82 % cases no medical treatment was given to the victims. In only 18.18% cases medical treatment was given to the victims.

Medical evidence is a crucial piece of information to establish the case of rape. The police investigator has to rely upon the examining physician collecting the best evidence in the case – evidence from the body of the victims. It is seen that doctors in government hospitals hesitate to give frank medical opinion in rape cases for fear of appearing as a prosecution witness and then being subjected to embarrassing cross examination in courts of law. In one case as reported by a police officer, “two officers of a

well-known engineering concern raped a tribal girl by taking her out on the pretext of arranging a job for her. This created a commotion and the workers in the factory went on strike. The case ended in acquittal because of the information given by the lady doctor and also because of the gaining over of some witnesses who impeached the character of the victim".

In the U.S.A. and U.K., there are many 'Rape Crisis Centres' to advise the rape victims, Rape Crisis Centres send experts to stay with the victims during cross-examination by the police. They also advise medical officers regarding types of evidence to be collected in sexual assault cases. Rape Crisis Centres also send experts to lecture at Medical Colleges and Schools. Many hospitals in the U.S.A. now maintain "sexual assault evidence kits" containing items like an instruction sheet for the examining physician, packages of sterile cotton swabs and envelopes marked for clothing, fibres, hairs, secretions etc. It is necessary that such evidence kits should be maintained in Indian hospitals and medical centres (Chattoraj, 2005).

In addition to this it is required by the law that an officer of the rank of Circle officer should visit the crime scene with 24 hours in cases of gang Rape and rape of minors. It was reported that in 100 % of the cases a Circle Officer visits the crime scene and issues a supervisory note.

### **Level of Practices followed in the implementation of laws against sexual violence**

#### **Statement of the victim**

It is imperative that a female police personnel should write the verbatim statement of the victim and the statement can also be recorded to prevent distortion of the facts. This statement should be read to the victim and get her signature(or any relative can sign if she is not in a condition to do so) on it and a copy of the same be provided to her. For the purpose of statement a victim is provided with an option of going to the police station of the police visiting a place chosen by her for the same.

According to 93.3 % respondents a victim's statement is taken at home, and in 6.07 % cases it is not taken at home of victim. On further enquiry it was found out that a victim is always given choice of place where she is most comfortable in giving her statement. According to 6.07% respondents occasionally the victim is given choice pertaining to the place of statement. It was reported that the most preferred place of statement was victim's home for themselves. In 9.09 % cases victims preferred to give

their statements at police stations. It was reported by 18.18% respondents that videography of the statement of victim is always done, where as in almost 78.78% cases videography of the statement was occasionally done. According to 3.03% respondents it was never done. It was also reported by 19.70% respondents that the victim's statement was always taken in front of a member from women's organization. Whereas 80.03% respondents reported that it is done occasionally. Under section 164 CrPC it is mandatory to record a statement of the victim within 48 hours of the incident. 95.45% respondents told that it is always taken in within 48 hours of the incident while 4.54% respondents told that it is done occasionally within 48 hours. It was asked further if the identity of a female victim is kept undisclosed under section 228A IPC. 100 % respondents replied in affirmative that the identity is kept undisclosed always.

Table no.VII

## Procedures followed related to statement of the victim

<b>Statement of victims at home</b>	<b>N= 66</b>
Always	62 93.93
Occasionally	4 6.07
<b>Statement of victims taken at victim's chosen place</b>	<b>N= 66</b>
Always	62 93.93
Occasionally	4 6.07
<b>Usually preferred place for victim's statement</b>	<b>N= 66</b>
Victim's Home	60 90.90
Police Station	6 9.09
<b>Videography of the statement of victim</b>	<b>N= 66</b>
Always	12 18.18
Occasionally	52 78.78
No	2 3.03

<b>Statement of Victim in front of women organization</b>	N= 66
Always	13 19.70
Occasionally	53 80.30
<b>Statement of 164 CrPC recorded within 48 Hrs</b>	N= 66
Always	63 95.45
Occasionally	3 4.54
<b>Identity of Woman victim is undisclosed under 228 A IPC</b>	N= 66
Always	66 100
No	0

### Status of Investigation

An attempt was made to understand if the investigation of rape cases is done within the stipulated time limit of 15 days as per laws. Almost all respondents i.e. 90.90% said that they investigate all the rape cases within 15 days of crime. Only 9.09 % said that it is not done within the stipulated time limit. According to 90.90% respondents a lady officer is always involved in the investigation.

**Table no. VIII**

### Procedures followed during investigation of Rape Cases

<b>Investigation of Rape cases done within 15 days</b>	<b>N=66</b>
Always	60 (90.90)
Occasionally	6 (9.09)
<b>Involvement of Lady Officer in the investigation</b>	N= 66
Always	60 (90.90)
Occasionally	6 (9.09)



<b>Compensation to Victim</b>	<b>N= 66</b>
Yes	8 (12.12)
No	58 (87.87)

Investigation of sexual offences, particularly rape cases, requires extra sympathetic handling of the traumatized victims. The police investigators of sexual offences must establish a sympathetic connection with the victim and help her overcome the embarrassment, apprehension and averseness. The police must bring the victim to trust them and assure her that they are concerned with her wellbeing as much as they are concerned with the arrest and conviction of the offender.

12.12 % respondents told that the victim has received compensation under the victim compensation scheme in cases investigated by them which amounted to Rs 50000. The Government has created a Nirbhaya fund for the victims of Sexual violence. This fund supports the Government initiatives to guard the self-respect and security of women in the country. As reported very few victims have applied under this scheme and fewer have been allocated the fund.

### **Analysis**

For the purpose of the present study interviews were conducted with the police officers of the seven divisional headquarters (Ajmer, Bharatpur, Bikaner, Kota, Jaipur, Jodhpur and Udaipur) in order to comprehend the knowledge, their attitude and response towards the issues of violence against women. The pre-emptive nature and attitude of the police personnel and the resourcefulness in helping the victim of sexual violence is an important requirement for delivering justice to the woman.

The reporting of cases was found to be influenced by various socio-cultural, religious, caste and other factors. The attitude and behaviour of police personnel and a public perception of their conduct plays an important role in mass approach and reporting of cases to the police. Though the police is making an effort to revamp the image and is following normative behaviours but still there is a need to bring these attitudinal changes to light. It was found that most of the cases are heard at the victim's preferable place, but it is needed to verify this conduct at the level of the victim as well.

The objective of assessing the knowledge, attitude and practices of the police personnel in terms of implementation of the laws against sexual violence was attempted. It was observed that the police personnel had sufficient knowledge about the legal provisions and the laws against sexual violence against women. Most of them were made aware about it through departmental trainings and some through other resources. Regarding attitudes it can be said that the attitudes of police personnel are influenced by the socio-cultural factors, socialization and patriarchal beliefs. These shape the attitudes in treating the victims of sexual violence. It was observed that most of the police personnel reported having indifferent attitude towards the victims. But it cannot be generalized as it depends on personality and socio-cultural values of the persons per se.

Practice of the implementation of laws against sexual violence is an important aspect of the present study. It was found that in majority of the cases the police personnel were following the norms and procedure related to filing of the cases, statements of the victims, medical examination and investigation of the cases within the stipulated time limit. Since this study incorporated the element of observation as well and it was part of the larger study of all majority stakeholders, it is important to mention here that most of these practices as reported by the police personnel were not coinciding with what the victims and their family members report.

## **Conclusion**

Sexual violence against women is a social problem that is universally re-proved as scar on any civilized society. This behaviour reflects the degenerative mentality of a power demonstration mechanism under patriarchy. The sexual violence against women can be understood by a multi-factor approach in which socio-cultural factors play a dominating role. The enactment of laws will be futile unless the knowledge, attitudes and practice of law implementing agencies are reformed through ground level trainings.

The police is taking care of almost all the procedural formalities during right from filing of the FIR to the conviction of the accused but it is observed that there is a need for them to change the attitude towards the victims as well. Most of the times the caste, religious and gender prejudices of the police personnel creep in the attitudes and practices during discharge of duties. This can be curbed by resocialization and sensitization of police personnel towards shaping their attitudes and practices in terms of sexual violence against women.

Police sensitization towards the needs of victims should be done on a large scale and awareness and empathy should be build amongst them. They fulfill not only the role of police officer but also are the first responders. The public perception of police should also improve through bringing the positive cases to light. Hence the police personnel have an important role to play not only in registering the cases of sexual violence but also in speedy justice to the victim.

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