

**PROBLEMS FACED DURING  
REHABILITATION OF RAPE VICTIMS  
(A STUDY CONDUCTED IN DELHI)**

**Garima. S. Pal\***

**A B S T R A C T**

“ONE OF THE MOST NEGLECTED SUBJECTS IN THE STUDY OF CRIME IS ITS VICTIMS”!!!!

*-According to the President Law Enforcement and the Administration of justice,1967*

Victims of rape suffer from stress, anxiety and blame associated victimization referred to as “**Post Traumatic Stress Disorders**”. At present, according to NCRB the latest statistics were 33,707 in the year 2013 out of which 1,441 cases were registered in Delhi itself. To overcome the trauma of such a heinous act an understanding of victimization and sensitization among the people is necessary, then only the rehabilitation of victims could be a success. Various NGO’s are working in this field for the rehabilitation of rape victims. Figures revealed by the National Crime Records Bureau (NCRB) of home ministry are startling. It is most alarming that the singular crime of rape is the fastest growing crime in India that has increased by 902.13% from 1971 to 2012. The incidents of rape reported increased from 24,206 in 2011 to 24,923 in 2012. 806 rape cases were reported in Delhi till June 2013 New figures given by Delhi Police reveal that a woman is raped every 18 hours or molested every 14 hours in the capital. A staggering 56 percent accused in rape cases were below the age of 25.<sup>1</sup>

\* Assistant Professor, Symbiosis Law School, Pune, Maharashtra.

<sup>1</sup> Crime of India, NCRB, 2012 report

Today , the sympathy is in the favour of the offenders whether of rape or otherwise, based on the foundation of **“Human Rights”** and the **“ Theory of Reformation”**,throughout the world. Various reformative and rehabilitation measures are under sway for protection and welfare of the criminals .However ,no such attempt is wisely made to rehabilitate and compensate the loss caused to the victims of the offence of the rape .The existing law is not as effective as it ought to be and whatever the legal measures available are practically engrafted with ambiguous language permitting payment of the meager compensation to the traumatic victims of the ghastly offence of rape. This is a glaring discrimination towards the “fair sex”- VICTIMS OF RAPE. Thus the present study examines the role of Ngo’s ,their working, techniques used by them for rehabilitation and problems faced by the victims during rehabilitation .and suggestions to meet and mitigate the injustice being caused to the victims of rape in the present day Indian scenario.<sup>2</sup>

The current study is confined to the city of Delhi. It has been done in two stages. The first stage consisted of interactions and interviews with the NGO officials and other related authorities.Acquainted with the various rehabilitation techniques that were used by them for the betterment of the rape victims .Appropriate data as well as various case histories were provided by the NGO’s. The second stage consisted of interviewing the rape victims who were undergoing rehabilitation or have been rehabilitated by the various NGO’s along with interview of the family members/relatives of the rape victim for better understanding.

### I n t r o d u c t i o n

**In the absence of an adequate support mechanism and comprehensive legislation , most victims of rape suffer in silence while their violators often go away scot-free.**

<sup>2</sup> <http://www.frontline.in/static/html/fl2007/stories/20030411001608500.htm>

One of the heinous crimes against female folk is “Rape”. This phenomenon could be witnessed at all times and in all regions of the world and its occurrence is more common where the victims of the crime are helpless females or minor girls. It is a peculiar offence where the victim has to suffer mentally, physically, psychologically, socially and economically for the rest of her life. While sexual instinct is too natural, availing sexual satisfaction by applying force on the person of a female is obviously unnatural, unethical, immoral and illegal. It is also against the public policy and social justice

The word “Rape” is derived from the Latin word “Rapere” which means to steal, seize or carry away. It is the oldest means by which a man seized or stole a wife. In reality, it constituted enforced marriage since man simply took whatever women he wanted, raped her and brought her into his tribe. Rape was actually conducted under the guise of respectable behavior, rewarding the rapist for misuse and abuse of women.<sup>3</sup>

.According to legend, During the sack of Troy, victors raped many Trojan women. Even Cassandra, daughter of Priam, King of Troy was violated. It is interesting to note that the Greeks did not condone this violation and considered stoning to death as fit punishment. In 1453, the year Constantinople fell, the city’s women and young girls were repeatedly and unmercifully raped by Ottoman troops numbering from 70,000 to 2,50,000.

In more recent times, the 1937 fall of Namking to Japanese army resulted in wholesome rape of its women a sorry event that became known worldwide as “Rape of Namking”.

---

<sup>3</sup> Holmstrom. Lynda Lytle, Burgess. Ann Wolbert, *Victim of Rape: Institutional Reactions*, New York, 1978.

According to the Encyclopedia of Criminology Richard Wright, J. Miller (2005) "*Rape is legally defined as the act of non-consensual penetration of an adolescent or adult obtained by physical force, threatened use of physical force or when victim is incapable of giving consent by virtue of mental illness, mental disability or intoxication from alcohol or drugs*"

In India, Rape is a cognizable offence punishable under the provisions of INDIAN PENAL CODE,1860 (hereinafter referred to as IPC), in accordance with the provisions of the Code of Cr,P.C). The punishment to be imposed to a person who commits the rape but no measure of appropriate relief is provided to the victims of the rape. In the eyes of the society with regard to rape ,” ONCE A VICTIM ALWAYS A VICTIM”. This is the dictum of the majority. <sup>4</sup>

According to I.P.C. **Rape** is defined as “A man is said to commit rape, who except in the case hereinafter excepted, has sexual intercourse with a women under circumstances falling under any of the 5 descriptions :-

- a. Firstly, Against her will
- b. Secondly, Without her consent
- c. Thirdly, With her consent, when her consent has been obtained by putting her in fear of death, or of hurt.
- d. Fourthly, With her consent, when the man knows that he is not her husband and that her consent is given because she believes that he is another man to whom she is or believes herself to be lawfully married.
- e. Fifthly, Without her consent when she is under 16 years of age.<sup>5</sup>

Rehabilitation “**means to restore to the usual life as through therapy and education or to restore to good condition, operation or capacity. By means of education or therapy, a normal state of mind or an attitude is achieved which would be helpful to the victim.**” The rehabilitation of victims of rape is a complex process . Depending on which type of atrocity they were subjected to, victims have different needs. Even when comparing the needs of victims within one “crime” victims may exhibit a variety of physical and psychological sequel

<sup>4</sup> Rape: A natural history on Biological Bases of Sexual Coercion (2000) Author : Thornhill and Craig. T. Palmer

<sup>5</sup> Gaur.K,D,A Textbook on Indian Penal Code, Universal Publishing Co.Pvt.Ltd,Delhi,2011

Victims require a variety a rehabilitative services including psychological counseling, medical treatment, physiotherapy, social reintegration assistance, and legal redress (the provision of “justice” is essential both to assuage victims and also to ensure that they receive the compensation necessary to re-establish themselves).

As mentioned above, victims of rape suffer with variety of psychological symptoms. These symptoms commonly include conditions such as anxiety, depression, post-traumatic stress disorder (PTSD), social withdrawal, depersonalization, and rage. The impact of psychological trauma and the rehabilitation needs of individuals are defined by three main factors:

1. The type of trauma experienced.
2. The background and psychological makeup of the victim.
3. The community reaction and support mechanisms available to the victim.

It must be noted here that exposure to traumatic experiences will not inevitably result in the development of psychological problems. Some individuals have a far greater capacity to cope with trauma (i.e. individuals who have successfully overcome traumatic experiences in the past). Nevertheless, natural disasters and accidents resulting from human error are less likely to cause psychological trauma than intentional threats to human life. Counselling involves several aspects such as allowing the client to communicate their feelings and problems in a safe environment, the provision of information, and helping the client to solve their own problems. There are several types of counseling including:

1. Crisis Counseling: counseling focusing on the short-term and immediate problems of victims with intensely disturbed and distorted thinking and emotions.
2. Preventive Counseling: preventive counseling aims at preventing psychological problems from developing or from worsening.

3. Problem Solving counseling: features active listening in order to help clients identify their problems and come up with alternative solutions.
4. Decision Making Counseling: the counselor facilitates the decision making of the client.
5. Supportive Counseling: supportive counseling includes the provision of emotional and practical support to clients. This may involve accompanying the client to the police, physician, etc.
6. Spiritual Counseling: this type of counseling is offered by spiritual leaders and may be highly effective with certain religiously inclined individuals in restoring the peace and hope and comforting these people.

The counselor must show respect, honesty (both towards the client and towards themselves), empathy, and acceptance

The problem encountered in rehabilitation of victims of rape is the feel that they have done nothing wrong and they may also require the assistance of a social worker or other person in being reintegrated into the community. Moreover, human rights education efforts are required to make the general public aware of the plight of these victims. Victims may also be reintroduced to physical elements of their past life in order to be reminded of their lost identity. These efforts will also facilitate their long-term rehabilitation .Various NGO's are working in this field .

#### **Objectives of the Study**

1. To study the Institutional and Organizational working for the cause of Rape Victims
2. To study the effect of Rehabilitation programmes on the Rape Victims.

3. To study whether the techniques provided by NGO's are helpful for Rape Victims or not.
4. To study the problems faced during rehabilitation of rape victims.
5. To suggest measures for improvement of Rehabilitation of Rape Victims.

### **Research Methodology**

The study has adopted an exploratory research design with certain basic assumptions as already mentioned.

### **Research Design:-**

Research design of the study is exploratory research design

### **Universe:-**

The Universe of the study includes NGO's working for the rehabilitation of Rape victims and Rape victims who are undergoing rehabilitation by these NGO's.

### **Locale of the Study:-**

Delhi is a highly rape prone society which is indicated clearly by the data. The city also consists of a number of NGO's working for Rape victims. Therefore, Delhi city was the best choice to be opted for the study of NGO's and Rape victims.

### **Techniques for Data Collection:-**

Throughout this study, the analysis is made on two types of data

- A) Obtained from NGO's
- B) Obtained from Personal interviews and structured questionnaires, consisting of open ended & close ended questions, conducted with NGO's personnel and rape victims.

The role of NGO's dealing in rehabilitation of rape victims was analyzed and how far the rehabilitation techniques have been successful among the rape victims was therefore noted down.

### **Sources of Data Collection:-**

**Primary Data:** The primary or empirical data has been collected by the use of interview schedules, interview guides, observations and case studies.

**Secondary Data:** The sources of secondary data are books authored by Indian as well as Foreign writers, national & international journals and Internet.

### **Sample Design:-**

Simple random sampling was conducted for this study. It consisted of NGO's working for the rehabilitation of rape victims in Delhi. 45 samples are used for the study out of which were 10 NGO officials, 15 were rape victims and 15 were family members.

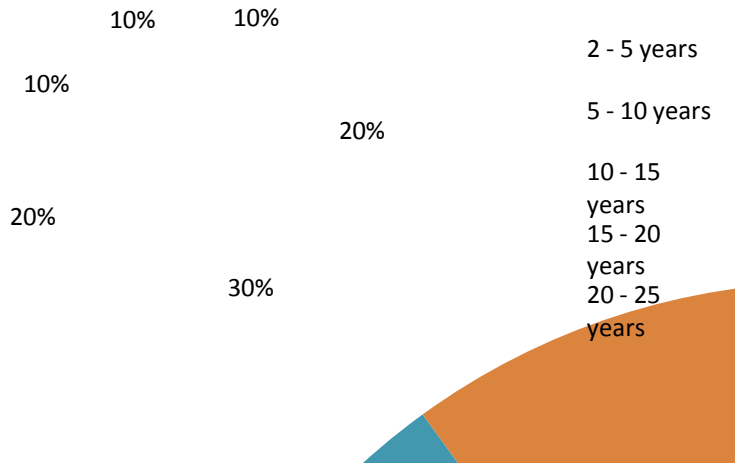
Number of NGO officials interviewed	10
Number of Rape victims interviewed	15
Number of family members interviewed	15

### **F i n d i n g s**

Normally, to almost every individual, the term sex & various related terms cause high embarrassment & in some case even shame which may be the result of either upbringing or cultural norms. Rape is a phenomenon which results in one of the many above mentioned problems. Since the raped women go through highly traumatic experience which has taken place without their consent & invariably forcibly, one could expect low self confidence & feeling of fear. Majority of the rape victims were from the age group pf 10-15 years.

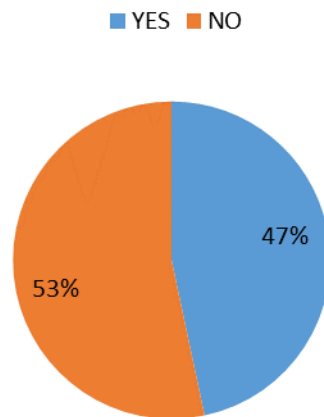


### Age of Victims



At that point of time, rehabilitation is important for a victim. Rehabilitation starts from home. The family has to be supportive towards the victim during such menace. Around 40% of the victims are supported by their families and 47% of the family members knew the accused.

### Acquaintance



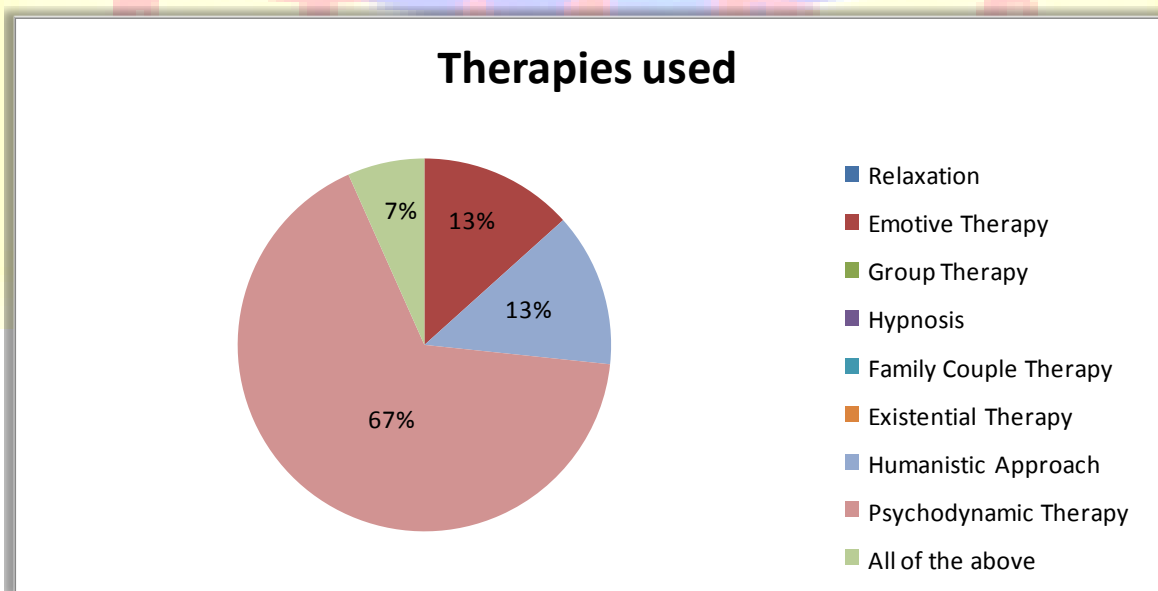
NGO's play a vital role in the rehabilitation of rape victims. NGO's like Pratidhi, Sampurna, Sakshi, Centre for Social Research, All India Women's

Conference work for rape victims & follows them throughout the rehabilitation process. They help solve problems faced by rape victims & their family at police level, at hospital level and at court level. They counsel them & satisfy their queries of whereabouts regarding proceedings, seeking compensation.

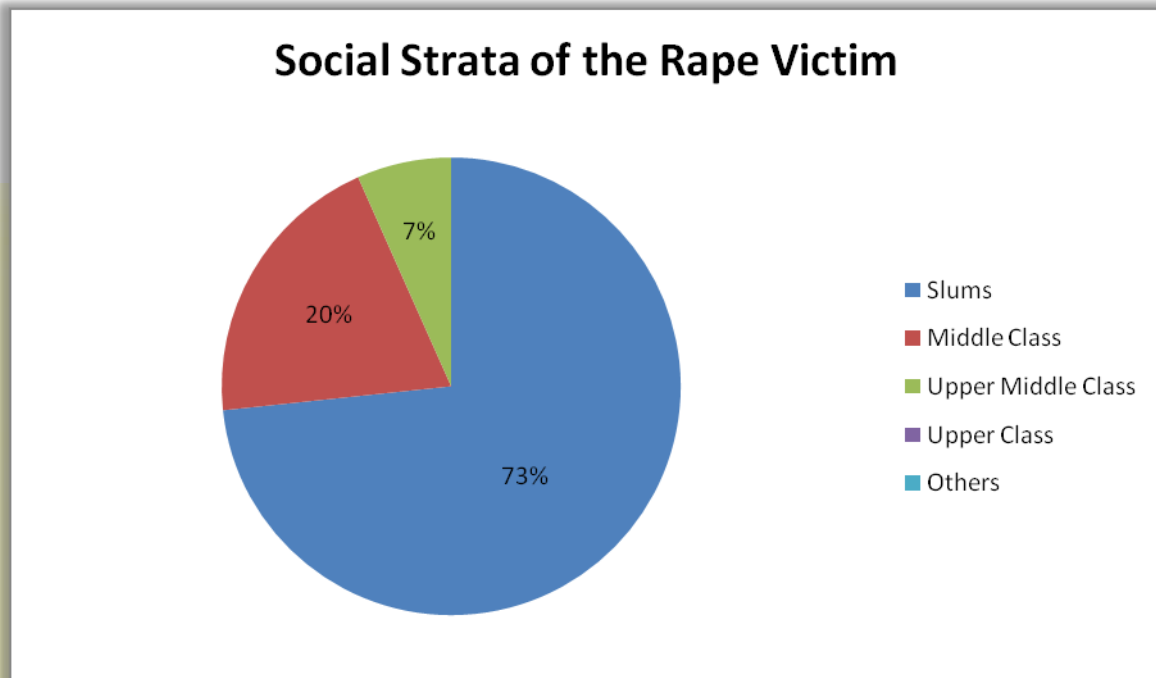
NGO like “Pratidhi” said that they have been working for rape victims for last 20 years. “Shakshi” has been working for rape victims for 30 years. “Sampoorna” has been working for rape victims for last 10 years.

Rape is a crime which not only causes physical pain. So this does not depart with commencement of crime but remains with the victim for their entire life. Rehabilitation helps the victim to get over the trauma & lead a normal life. Around 70% victims feel that rehabilitation is effective for leading a normal life.

Around 67% of the NGO’s use psychodynamic therapy for rehabilitation of victims; 73 % of the NGO’s provide financial assistance, 70% of the NGO’s guide the victims through the legal proceedings & the court cases, counsel the family members & encourage them to fight the case in the court .But only 1% of these NGO’s were aware about all the rehabilitation techniques.



Majority of the Rape victims hail from the slums i.e. they are below poverty line (B.P.L.)



NGO's further pointed out that there is a lack of awareness amongst the victims, inefficient policies; the financial assistance provided by the government is quite less. All of them agreed that no rape victim is provided any compensation in real sense, if at times, whoever gets, the amount is meager.

The problems the victims usually face are harassment by police, defense lawyers, the accused's family, non co-operation by police, stigmatization by society, no facilities during the process of the case, the stress, personality disorganization, family tension as per by the NGO officials.

Majority of the rape victims were unemployed. Around 80% NGO said that the victims who are minors are encouraged for further education. Financial assistance is provided by NGO with the help of DCW. They suggested some important points for improvement of rehabilitation techniques like family & society counseling, public awareness of stigmatization, sensitization of the police & undertaking awareness programs.

## Suggestions

Rehabilitation of rape victims needs a look by the Government. In the name of “rehabilitation” not much is being done. Few suggestions for the improvement of rehabilitation of rape victims are as follows: -

1. Family Counselling: The first recipient of disclosure for many victims will not be the police or even a rape crisis center, more often a friend or family member is contacted & the decision about telling this individual depends on how close the victim feels for this person, who is usually a female (Shore, 1979). How this person responds to the victim is of utmost importance. Bard (1982) stresses that the combination of tolerance, stability & reassurance is essential. Therefore, “Rehabilitation starts from the home”.
2. Mental harassment of rape victim by society should be banned.
3. Self Protection Techniques: The NGO’s should conduct seminars and impart awareness among people. This should be made compulsory for girls from 8 years onwards.
4. Many institutions deal with rape victims. But frequently these institutions have no one who, as part of their role, is assigned the responsibility of seeing what happens to the victim over time & of protecting their rights. At present, there often is no one to follow victims through the system & no one to systematically presume for long term change. Thus, one main policy recommendation is that special programs for victims of crimes be instituted & that specially trained people be assigned to work with the victims.
5. Separate NGO’s who would work only for the rehabilitation of rape victims should be established. Government should take a step forward in this area.

6. Compensation by state for the treatment of victims & for medical aid should be increased.
7. Sensitization of Police should be done. Training should be provided to them as to how to deal with rape victims.
8. Not all NGO's use all the rehabilitation techniques. NGO's should have proper knowledge as they are dealing with a very sensitive issue of rape.
9. The condition of Nari Niketans should be checked. Proper vocational training is not given to the victims undergoing rehabilitation.
10. NGO's should appoint more number of counselors.
11. Counselors should be efficient & have complete knowledge of the subject.

### **Conclusion**

The present study was aimed at exploring the role of NGO's for the rehabilitation of rape victims in the state of Delhi. The study has, to a basic extent tried to understand the various steps on techniques involved in the rehabilitation of the victims.

This problem emerges primarily from illiteracy, discrimination among sexes and awareness among people in the society. Certain rehabilitation techniques are not been enforced and number of rehabilitation centers specially dealing with rape victims are quiet less in number, therefore the government itself should take certain measures in this field.

Here, a wider society has to take the blame. For one, no law or penalty can put an end to a man's lust or depravity, which will only increase.

It is hoped that this study has been able to highlight the various techniques adopted by the various NGO's for the rehabilitation and for the upliftment of rape victims, an issue which is very sensitive and yet needs to be understood and openly discussed further for the betterment of all.

## References

1. Argo, W ,*Functional Classification of Criminal Behavior*, Journal of Criminal Psychology. Vol. 3,PP687-90.1967
2. Bard, M and Ellison, K, *Crisis Intervention and Investigation of Forcible Rape*.Police.Chief. Vol. 41(5).PP66-73,1974
3. Bowker,L.M ,*Marital Rape: a district syndrome Social case and work*. Vol. 64(6),PP6,PP347-52.1984
4. Burgess,A.W and Holmstrom ,*Rape trauma syndrome*, American Journal of Psychiatry. Vol 131 (9), PP 981-86,1974
5. Coleman, J.C., *Abnormal Psychology*, Taraporewala & Sons, India,1967
6. Chattoraj.B.N ,*Crime against women*, Delhi,2007
7. Eralson, D.A. ,*The scene of sex offences*, Journal of Criminal Law & Criminology 31, PP 339-340,1946
8. Eralson, Land Besttis, R, *The feminine explanation for rape & empirical list*, Journal of Sex Research, Vol. 19, PP 74-93,1983
9. Rush ,I. and Chandler,S.R(1982)*The crisis impact of sexual assault on three victim group .Child rape victims ,adult and incest victims* .Journal of Social Service Research Vol 5,PP 83-100,1982
10. Subramaniam, K ,*Public co-operation to curb atrocities against women* ,Delhi,PP 127.35,1981
11. Thornhill and Craig.T.Palmer,*Rape: A natural history on Biological Basis of Sexual Coercion*, MIT press edition,s2000