



UNDERGRADUATE MEDICAL STUDENT'S PERCEPTION ABOUT SEXUAL HARASSMENT, STALKING AND VOYEURISM IN INDIA

Senthil Kumaran*

Assistant Professor, Department of Forensic Medicine, Melmaruvathur Adhiparasakthi Institute of Medical Sciences and Research, Melmaruvathur, Tamilnadu, India. *Corresponding Author

G. Shrikanthan

Professor & Head, Department of Forensic Medicine, Aarupadai Veedu Medical College & Hospital, Puducherry, India.

Amudharaj Dharmalingam

Associate Professor, Department of Physiology, All India Institute of Medical Sciences- Mangalagiri, Andhra Pradesh, India.

ABSTRACT

Background: We tried to assess the awareness and knowledge among first and second year MBBS students, with regards to sexual harassment, voyeurism and stalking.

Materials and Methods: A questionnaire-based cross-sectional survey was conducted among 274 randomly selected students of first-year MBBS (100) and second-year MBBS (174) in Tertiary care teaching hospital, India. The questionnaire comprised of 10 items of a fixed-response type (yes/no).

Results: There was a disparity between the levels of knowledge with regards to sexual harassment, stalking and voyeurism among students. The study provides valuable insight into how much awareness and knowledge students have regarding this issue.

Conclusion: We recommend undergraduate MBBS should be thought in a proper way on this important issue, so it would be helpful for them in handling such cases in future. We recommend that the medical students should be kept updated about the criminal laws in connection with medical practice.

KEYWORDS : sexual harassment; criminal amendment act; stalking; voyeurism.

INTRODUCTION

The Criminal Law (Amendment) Act, 2013 came into force from April 2013 following national outburst after gang rape which happened in New Delhi in December 2012. It made changes in the Indian Penal Code (IPC), Indian Evidence Act (IEA), Code of Criminal Procedure (CrPC), and on laws related to sexual offences. It also paved way for punishing persons who are involved in sexual harassment, stalking, and voyeurism and also approved punishment for repeat offenders.¹

Sexual harassment is undesirable sexual advances, needs for sexual favours, and other verbal or physical behaviour of sexual nature.² Also, it is considered as a damage to the recipient's dignity, as it creates an intimidating, hostile, humiliating, offensive environment for the recipient.³

The Criminal Law (Amendment) Act, 2013 resulted in adding Sections 354 A IPC, 354 B IPC, 354 C IPC & 354 D IPC for dealing and punishing persons involved in sexual harassment, voyeurism and stalking cases:¹

Section 354 A IPC: A man shall be guilty of sexual harassment if there are a physical contact and advances involving unwelcome and explicit sexual overtures; or demand/request for sexual favours; or showing pornography material against the will of a woman; or making sexually coloured remarks. Is punishable with rigorous imprisonment, for a term which may extend to three years, or with fine, or with both.

Section 354 B IPC: Any man assaults or uses criminal force on a woman with intent to disrobe. Is punishable for a term not less than three years but which may extend to seven years, and shall also be liable to fine.

Section 354 C IPC: Any man who watches, or captures the image of a woman engaging in a private act without her knowledge or disseminates such image, shall be punished on first conviction with imprisonment for a term one year to three years with fine, and on second or subsequent conviction, with imprisonment for a term not less than three years, but may extend to seven years with fine.

Section 354 D IPC: Any man who follows a woman or attempts to

contact woman for personal interaction repeatedly despite a clear indication of disinterest by such woman; or monitors the use of the internet, email or any other form of electronic communication, commits the offence of stalking. Is punishable on first conviction with imprisonment for a term which extends to three years with fine; and on a second or subsequent conviction, there is imprisonment for a term which extends to five years, and fine.

The National Crime Records Bureau report in 2016, has mentioned the incidence of crimes against women rose from 3, 29,243 in 2015 to 3, 38,954 in 2016 in India. Nearly 25% of the cases fall under section 354 IPC and its sub-sections. Maharashtra (11,396), Uttar Pradesh (11,335) and Madhya Pradesh (8,717) have topped the charts under this category.⁴ Although there was a change made in Indian Law to punish the person involved in the sexual harassment, there is a lack of awareness among Indian population regarding the legal changes made and also the reporting of cases to the concerned authority.

With changing legal perception MBBS students should be made aware of the amendments made regarding sexual harassment, voyeurism and stalking. There is no literature about the awareness of the same is available. Considering the above facts this study was undertaken to explore the knowledge and awareness among the MBBS students with regards to sexual harassment, voyeurism and stalking and also to do a gender-based analysis of the same.

MATERIALS AND METHODS

This cross-sectional study was conducted on the knowledge and awareness of sexual harassment, voyeurism and stalking with respect to Criminal Law Amendment Act 2013 among Group I (first-year MBBS students) and Group II (second-year MBBS students) at Tertiary care teaching hospital, India during the year 2017-2018. After obtaining valid informed consent students were included in the study. The participant identities were not asked to be revealed at any stage. Assorted types of questions were kept regarding sexual harassment, stalking and voyeurism to encourage students to participate and express their knowledge. Prior to starting the study permission was obtained from the Institutional Ethical Committee. A questionnaire proforma, comprising of both the facts and

hypothetical situations, relating to sexual harassment, stalking and voyeurism, were given to all participants to check their level of knowledge and awareness.

These comprehensive questionnaires were prepared, according to content relevance and evidence from the literature. The questionnaire was peer-reviewed and validated. Initially the questionnaire proforma was given to 20 students as a pilot survey to see whether these questions are framed in an understandable manner for students to respond properly. After receiving the responses interaction with each student was done and their feedbacks were noted. Based on this and taking it into consideration the final questionnaire was prepared.

Then the proforma were distributed to the Group I and Group II students. The filled up proforma were polled in a box, kept particularly for this purpose. Student's who haven't responded to all questions in the proforma were excluded from the study. Their

responses to each and every question were analyzed in detail. A total of 300 proformas were distributed among both the groups of MBBS students, out of which 274 valid proformas were received within the specified time.

Descriptive and analytical computation of data was prepared via SPSS v20. All data were checked for their distribution and the tests of significance were employed. The frequency and mode for each question were analysed group wise. The significance of the difference between Group I and Group II was tested by chi-square test. The null hypothesis is rejected at a p-value of 0.05; however, analysis with statistical significance between 0.05 and 0.10 was also taken into consideration for discussion.

RESULTS

The received responses were checked in terms of the subjective (level of awareness) and the objective (level of knowledge) evaluation.

Table 1: Ideas in relation to sexual harassment, voyeurism and stalking

Sl.no.	Questions	Group I		Group II		Chi square	P value
		Yes (%)	No (%)	Yes (%)	No (%)		
1	Unwelcome sexual advances or physical contact by a male towards a female is punishable	93 (93%)	7(7%)	164(94%)	10 (6%)	0.1707	0.6795
2	Demand or request for sexual favours by a female from a male is punishable	72 (72%)	28 (28%)	103 (59%)	71 (41%)	4.4954	0.0339
3	Showing pornography (sexually related photos, videos & articles) against the will of women is punishable.	91 (91%)	9 (9%)	162 (93%)	12 (7%)	0.3956	0.5293
4	Sexually coloured remarks passed by male on female is punishable	86 (86%)	14 (14%)	144 (83%)	30 (17%)	0.8603	0.3536
5	Sexually coloured remarks passed by female on male is punishable	73 (64%)	27 (36%)	109(68%)	65 (32%)	3.0427	0.0810
6	Disrobing a woman with criminal force or compelling her to be naked is punishable.	98 (35%)	2 (65%)	161 (32%)	13 (68%)	3.6601	0.0557
7	Watching or capturing (Photo / Video) a woman during private acts done in privacy without her knowledge is punishable.	98(98%)	2(2%)	171(98%)	3(2%)	0.0269	0.8697
8	A man, on his own, "physically" trying to follow and contact repeatedly, a disinterested woman, in order to establish a personal interaction, is punishable.	86(86%)	14(14%)	148(85%)	26(15%)	0.0451	0.8318
9	If yes, will the punishment be same, if convicted for the repetition of the same offence	58(58%)	42(42%)	75(43%)	99(57%)	5.6210	0.0177
10	A man, on his own, monitors the e-mail, internet or any other form of electronic communication of a woman, is punishable.	74(74%)	26(26%)	108(62%)	66(38%)	4.0384	0.0444

Table 2: Correct responses in relation to sexual harassment, voyeurism and stalking

Sl.no.	Questions	Group I		Group II		Chi square	P value
		Yes (%)	No (%)	Yes (%)	No (%)		
1	Unwelcome sexual advances or physical contact by a male towards a female is punishable	93 (93%)	7(7%)	164(94%)	10 (6%)	0.1707	0.6795
2	Demand or request for sexual favours by a female from a male is punishable	28 (28%)	72 (72%)	71(41%)	103(59%)	4.4954	0.0339
3	Showing pornography (sexually related photos, videos & articles) against the will of women is punishable.	91 (91%)	9 (9%)	162 (93%)	12 (7%)	0.3956	0.5293
4	Sexually coloured remarks passed by male on female is punishable	86 (86%)	14 (14%)	144 (83%)	30 (17%)	0.4932	0.4825
5	Sexually coloured remarks passed by female on male is punishable	27 (36%)	73 (64%)	65 (32%)	109(68%)	3.0427	0.0810
6	Disrobing a woman with criminal force or compelling her to be naked is punishable.	98 (35%)	2 (65%)	161 (32%)	13 (68%)	3.6601	0.0557
7	Watching or capturing (Photo / Video) a woman during private acts done in privacy without her knowledge is punishable.	98(98%)	2(2%)	171(98%)	3(2%)	0.0269	0.8697
8	A man, on his own, "physically" trying to follow and contact repeatedly, a disinterested woman, in order to establish a personal interaction, is punishable.	86(86%)	14(14%)	148(85%)	26(15%)	0.0451	0.8318
9	If yes, will the punishment be same, if convicted for the repetition of the same offence	42 (42%)	58 (58%)	99 (57%)	75 (43%)	5.6210	0.0177
10	A man, on his own, monitors the e-mail, internet or any other form of electronic communication of a woman, is punishable.	74(74%)	26(26%)	108(62%)	66(38%)	4.0384	0.0444

DISCUSSION

The study was conducted in the pursuit of knowing the ideas of the students regarding various aspects of sexual harassment, voyeurism and stalking. Most of the students from Group I and Group II are aware of the Criminal Law Amendment Act 2013 and the changes made in Indian laws. But in both these groups, they were not keeping themselves updated. The response between the groups did not differ in a statistically significant manner. This indicates that the present curriculum needs to address the latest changes with regard to sexual jurisprudence to develop the expected competency.

In Table 1, responses to question 1 both the groups have an idea that unwelcome sexual advances or physical contact by a male towards female are punishable. However, in response to question 2, both Group I and Group II were having an idea that demand or requesting sexual favours by a female from male is punishable which not a fact is. Group I (72%) and Group II (59%) have predominantly responded that there is punishment. Which is statistically very significant ($p=0.0339$). Though Group II students were exposed to Forensic Medicine class on sexual jurisprudence; the very fact that they opted for a wrong answer was because of the fact they knew that not all laws are gender neutral.

In Table 1, response to questions 3, both the groups have an idea that males are punished for showing pornography against the will of a female is punishable.

In Table 1, responses to question 4 both the groups have an idea that males passing sexually coloured remarks against the will of a female are punishable. However, in response to question 5, there is the confusion between Group I and Group II regarding the punishment between genders. Group I (64%) and Group II (68%) the percentage of Group I students having the idea that sexually coloured remarks by a female on the male are punishable. Whereas about one-third of both Group I (36%) and Group II (32%), differs from the majority and there is statistical significance ($p=0.0810$) between the Groups. However, in both groups there exists an idea that there is a difference in punishment between genders in some sexually related offences in India.

In Table 1, responses to question 6 and 7 from both the groups have a common idea that the disrobing or watching or capturing women during private acts done in privacy without her knowledge is a punishable offence.

In Table 1, responses to question 8 both the groups have an idea that stalking i.e., physically trying to follow and contact disinterested woman by a male is punishable. However, in response to question 9, both Group I (58%) and Group II (43%) are having an idea that the punishment for repeat offenders is the same, which insist a fact that absence of depth of knowledge on sexual jurisprudence. However, there is a difference in Group I (42%) and Group II (57%) and have predominantly responded that there is a difference in punishment for repeat offenders. The statistical significance of this observation is very significant ($p=0.0177$), we can certainly infer that introduction of forensic Medicine class to MBBS students has sensitised Group II students that repeated offenders punishment varies from the previous punishment.

In Table 1, responses to question 10 both Group I (74%) and Group II (62%) have an idea that electronic stalking of a women via email, internet, etc., is punishable. However nearly one-third in Group I (26%) and Group II (38%) have an idea that stalking via electronic communication is not punishable. The statistical significance of this observation is highly significant ($p=0.0444$), we can certainly infer that educating students can significantly make them aware of different stalking.

In Table 2, factually correct answers were given more by Group II in certain questions and Group I in certain questions. For those responses where Group I have got more factually correct responses

to demand more inquisition. After much consideration, it was found the background idea between Group I and Group II were different regarding the gender.

In Table 2 response to questions 2 ($p=0.0339$), 5 ($p=0.0810$), 6 ($p=0.0557$), 9 ($p=0.0177$) & 10 ($p=0.0444$) shows statistical significance between the groups. This reflects the fact that Group II students who were sensitised about the gender differences in the legal proceedings of our country have influenced them to choose the wrong response in this regard.

CONCLUSION

The insight obtained from this study is that any sexual activity against the interest of the other person is considered by the students as an offence. However, they lacked the understanding of the gender differences in the punishments offered. This was more so in second-year MBBS students because they were aware of the gender neutrality issues in criminal laws, but was not specific in where it applies. This is of concern as little insight into criminal laws may be detrimental. To develop competencies of those students with regard to sexual jurisprudence assessment techniques need to be reframed.

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REFERENCES

1. Criminal Law Amendment Act, 2013 - Wikipedia, the free encyclopedia [Internet]. [cited 2019 Jan 21]. Available from: [https://en.wikipedia.org/wiki/Criminal_Law_\(Amendment\)_Act,_2013](https://en.wikipedia.org/wiki/Criminal_Law_(Amendment)_Act,_2013)
2. Hassan RM, Shoukry A, Abul KN. (2008): Study About Clouds In Egypt's Sky" Sexual Harassment: From Verbal Harassment To Rape. [Internet]. [cited 2019 Jan 21]. Available from: www.ecwronline.org.
3. Watson J. Basics In: Sexual harassment: Managers' questions answered Equal Opportunities Commission; 2006:2-4.
4. National Crime Records Bureau. Crime in India 2016 [Internet]. [Cited 2019 Jan 22]. Available from: <http://ncrb.gov.in/StatPublications/CI/CI2016/pdfs/Crime%20Statistics%20-%202016.pdf>.