



# Police Responses to Rape in Metropolitan India

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## Abstract

Much of the published research on police responses to rape is located in the West. This study conducted in-depth interviews with three adult victim-survivors and 15 police personnel to explore police responses to rape in the metropolitan city of Kolkata, India. Using an intersectional feminist framework, a reflexive thematic analysis indicated both sensitive and insensitive responses and showed that police responses were often based on discretion rather than being guided by the law. Police responses were also shaped by occupational culture, the socio-political environment, the police–criminal nexus and media coverage. The research sheds light on the unique cultural context of policing rape in metropolitan India. It adds to discussions regarding women’s police stations and changes in policing to address sexual violence.

**Keywords:** Police; rape; sexual violence.

## Introduction

Gender-based crime, particularly sexual assault in India, has captured national and international media attention in recent times. The Park Street rape in Kolkata, the Nirbhaya gang rape in New Delhi, the Shakti Mills gang rape in Mumbai, and the Unnao and Hathras<sup>1</sup> rape cases are some of the incidents that have created headlines in the last decade and are still fresh in the public memory. It was the brutal gang rape and death of a college student in Delhi (rechristened Nirbhaya by the media) that generated nationwide protest and called for reforms in rape laws. It also brought the issue of sexual violence into the public discourse; previously, it had largely remained confined to the women’s movement in India. It situated gender-based violence as a governance issue, highlighting the provision of a safe environment for women as the obligation of the government (Verma et al., 2013).

Recent statistics highlight that 21.6 million women in India have suffered sexual violence in their lifetime (McDougal et al., 2021). These statistics, paired with the extant literature, highlight the pervasiveness of sexual violence, the profound trauma faced by victim-survivors and the need for effective justice responses (Suri & Khan, 2013). The police play a major role in the governance of crimes against women, as they are often both the first responders to encounter survivors and the gatekeepers to criminal justice. Their perceptions of deserving or undeserving cases have a significant impact on victim-survivors’ experiences of the criminal justice system (Jordan, 2004). Police responses—especially in the case of sexual violence—require an in-depth understanding from the victim-survivor perspective as well as the police perspective. This can provide insights into how current policing systems can be improved with respect to women’s safety.

This article first examines research on under-reporting and police responses to rape, both globally and in the Indian context. It then moves to discuss the methodology used in the study, which outlines a thematic analysis of interviews with both victim-survivors and police personnel. Findings are presented, along with a discussion of how police responses are interlinked with



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patriarchy and broader socio-cultural ways of understanding rape. The terms “victim”, “survivor” and “victim-survivor” are used throughout this article to reflect the language used in various studies, as well as the different identities of people who have experienced sexual violence. For the participants in the study, we use “victim-survivor” to indicate the continuum of identities with which people might identify, depending on time, experiences, and their journeys in the aftermath of sexual violence.

### **The Case of Underreporting**

Violence against women—particularly sexual assault—remains one of the most under-reported crimes worldwide (Brooks-Hay 2020; Daly & Bouhours 2010). In India, there is general agreement that violence against women is under-reported (McDougal et al., 2021; Mukherjee et al., 2001), and this is even more the case with sexual violence (Sharma & Gupta, 2004). Bhat and Wodda (2013) point out that 70 per cent of all sexual crimes in India are not reported. This trend is thought to be even worse for *dalit* (lower caste) women, with official rape statistics likely a significant underestimation (Pal, 2018). There are numerous factors influencing the decision not to report rape. A wide range of socio-cultural factors, such as illiteracy, unemployment, social status, class, race, social stigma, feelings of shame, pervasive myths associated with rape, fear of retaliation by the accused, issues of family honor, chastity and virginity, stop a survivor or her family from speaking up and reporting the incident to the police (Bhat & Wodda, 2013; Mukherjee et al., 2001). Additionally, a significant barrier to reporting rape is a lack of confidence in the criminal justice system (Rajan, 2013). The fear of not being believed or being ridiculed by law enforcement agencies can silence rape victims from speaking up (Lorenz et al., 2019).

### **Global Police Responses to Rape Victims**

Across the world, the police response to rape has been significantly lacking. In England and Wales, for example, only 1.3 per cent of 63,136 reported rapes resulted in a suspect being charged by police in the 12 months prior to September 2021 (ONS, 2022). In the United States, it is estimated that there are over 100,000 untested rape kits, with studies showing that further rapes could have been prevented if kits had been sent by police to crime labs for testing (Curington, 2021). This has prompted many advocates to question whether rape and sexual assault are being taken seriously by police. Indeed, it is well documented that victim-survivors often experience “secondary victimisation”<sup>2</sup> by the criminal justice system, including the police, as a result of indifferent and victim-blaming attitudes (Campbell et al., 2001; Maier, 2008). In a recent survey of over 2000 victim-survivors in England and Wales, 75 per cent of respondents reported that their mental health had declined as a direct result of the police response they had received. One victim-survivor stated, “I am more afraid of the police than being raped again” (Hohl et al., 2023, p. 57).

Widespread failings have prompted developments in the policing of rape and other crimes against women. For example, women’s police stations have spread across the world as a specialist response to gender-based violence (Amaral et al., 2021; Carrington et al., 2020; Natarajan & Babu, 2020). While the structures of women’s police stations differ across countries, they are generally staffed by female officers to respond to and prevent gendered violence, and may involve collaboration with other professionals such as social workers, lawyers and psychologists (Carrington et al., 2020). Women’s police stations have had varying levels of success in responding to gendered violence, depending on their structure, resourcing and location (Natarajan & Babu, 2020). In Brazil, for example, the establishment of a women’s police station in a metropolitan area was associated with a 17 per cent decrease in the female homicide rate—a marker of intimate partner violence (Perova & Reynolds, 2017). The impact on reports of rape is less clear, although scholars argue that women’s police stations can empower women and widen access to justice (Carrington et al., 2020).

### **Police Responses to Rape Victims in India**

Research in the Indian context has also indicated problems with police responses to rape cases. Prasad (1999), in a study on medico-legal responses to violence in India using semi-structured interviews, found that rape victims in Delhi complained of mishandling of their cases by the police in terms of doubting their credibility, delaying medico-legal authorisation and erring in documenting evidence. In another study on rape victims in Kerala, Venkitakrishnan and Kurien (2003) demonstrated the lax attitude of the police in responding to rape victims, coupled with issues of corruption (bribe-taking from accused) and a police–criminal–political nexus. This nexus was pointed out in a report by N.N. Vohra, who headed the government-appointed committee to study the problem of criminalisation of politics and corruption among politicians, criminals, bureaucrats and the police in India (Ministry of Law and Justice, 2010). Such a nexus emboldens perpetrators, who then continue their crimes with impunity.

More recently, a survey of 190 police officers in Uttar Pradesh indicated that officers often held patriarchal and sexist attitudes towards women (Tripathi, 2020). For example, 81 per cent of the police respondents believed it was acceptable for a man to physically reprimand his wife, and over 60 per cent believed that housework and child-care was the responsibility of women. Damania and Singh (2022) also found that police and legal professionals in India agreed with various rape myths, including that women often lie about rape and that women's clothing and behaviour contribute to rape. Similar findings were echoed in qualitative interviews with police officers in Uttar Pradesh (Tripathi & Azhar, 2021). Moreover, research in three Eastern Indian states has indicated that police often do not comply with rape laws and victim-friendly provisions, with a lack of uniformity in responses across the states (Swetapadma et al., 2023).

In recognition of such police failings, a range of gender-targeted police reforms have been introduced across India. For example, the Telangana State Police Department's "SHE Teams" were launched in 2014, with a focus on responding to public sexual assault and harassment (Raman & Komarraju, 2018). The initiative aims to map perpetration hot-spots and empower citizens to report such crime through apps and social media. At least 60 SHE teams are said to be in operation across Hyderabad City, headed by police with covert surveillance to collect evidence. While the initiative claims success in curbing sexual harassment, scholars have pointed out several critiques, including a large focus on victim responsibility rather than perpetrator behaviour; a lack of interventions for rapes and sexual assaults that occur in private locations; and contingencies that claim concern for women – but only if women present and behave in certain ways in public (Raman & Komarraju, 2018).

Another gender-targeted initiative is Women's Help Desks in police stations across Madhya Pradesh. This intervention involves private spaces for female victim-survivors within police stations, policies for registering rape cases, officer training, routine monitoring of police procedures and outreach to community safety networks. The Women's Help Desks are run by female officers at the rank of Assistant Sub-Inspector or higher (Sukhtankar et al., 2022). In a recent evaluation of this initiative (involving a randomised controlled trial of 180 police stations servicing 23.4 million people), researchers found that officers in stations with Women's Help Desks were significantly more likely to register cases of gender-based violence, especially when those desks were run by female officers (Sukhtankar et al., 2022). The authors concluded that the Women's Help Desks worked to mainstream gender-responsive policing practices and "ascribe value to work on women's cases, rather than casting such work as peripheral [and less important] than other crime prevention tasks" (Sukhtankar et al., 2022, p. 6).

## The Current Study

Much of the published literature on police responses to rape victims-survivors is located in the West. Literature with a feminist lens on this issue in a developing country like India with high rates of sexual violence is sparse. Moreover, there is a lack of in-depth qualitative research that elevates Indian women's voices and explores their experiences of reporting rape to police. Extant research often analyses women's experiences indirectly – for example, through cases studies, official data or media reports (e.g. Pal, 2018; Simon-Kumar, 2014; Tripathi, 2023). There is a lack of empirical research that directly asks Indian women about their experiences of reporting rape to inform police responses.

The current research adopts an intersectional feminist lens to examine interviews with three victim-survivors and 15 police personnel in Kolkata, India. Intersectional feminism considers how multiple forms of oppression are experienced by marginalised groups and contribute to injustice (Crenshaw, 1989; Sen, 2023). As described by Tripathi (2023, p. 953), "the framework of intersectionality draws a reflection of reality by visualising associative ways of uneven social divisions that create diverse forms of disadvantage". In the Indian context, variables such as gender, class, caste, religion and geography are thought to be particularly pertinent in understanding people's identities and experiences, as they relate to privilege and oppression (Dey, 2019; Pal, 2013; Tripathi, 2023). For example, in an intersectional analysis of gender violence in India, Dey (2019) highlights how class, caste and religion played a role in the public outrage following the Nirbhaya rape case. They discuss how the case garnered significant media attention and swift criminal justice action because it was considered a "real rape" with "ideal" victims and perpetrators: a middle-class, higher-caste, educated Hindu student who resided in the city, raped by slum-dwelling, lower-caste, stranger perpetrators framed as "monsters".

As India is a very socio-culturally diverse country, an intersectional feminist framework was deemed to be most suitable for understanding women's experiences of reporting rape in the current study. While the study also examined police perspectives, it did so through a critical feminist lens, also considering how variables such as patriarchy, misogyny, class and caste-bias intertwined to shape police responses in rape cases.

## Methodology

This article draws on data collected as part of the lead author's current research on gender-based violence against women and police governance in the metropolitan city of Kolkata. The research was conducted in accordance with the Declaration of Helsinki ethical research principles. The research included in-depth semi-structured interviews and follow-up questions with three rape victim-survivors and 15 police personnel of Kolkata Police across its hierarchy. The names of all the respondents have been changed to maintain anonymity. The victim-survivors were contacted through acquaintances while the police personnel of Kolkata Police were recruited through official permission. Getting access to people, especially in the Police Department was not an easy task. It involved long periods of waiting and consistent follow-up. Right from the beginning of the lead author's visit to the Kolkata Police Headquarters, she was directed to the Women's Grievance Cell (WGC).<sup>3</sup> The explanation offered was that as she was working on women's issues, WGC was the place for her. This ghettoisation is largely symptomatic of our patriarchal governance system, where "women's concerns become metonymic of gender and are consigned to a women's specific department" (Sharma, 2008, pp. 46–47). After repeated requests, she was finally given permission for police interviews in only three police stations of the department's choice.

## Participants

The three victim-survivors were women in different life situations: a 40-year-old middle-class woman, previously self-employed, with two children; a 17-year-old economically disadvantaged girl with limited formal education; and a 33-year-old economically disadvantaged housemaid living with her husband, daughter and other relatives. The victim-survivors were interviewed for a total of three to five hours each in a series of two to three in-home sittings conducted over a period of three months. The victim-survivor interviews were designed to gather two complementary types of information: (1) a first-person lived experience of reporting rape to police; and (2) contextual details of the victim-survivors' lives and environment. Following feminist ethical principles (Campbell et al., 2009), participants were able to take breaks and skip any questions they did not feel comfortable answering. After the research interview, the lead author stayed in touch with them for a year to check on their well-being.

Additionally, 15 police personnel participated in individual interviews with the lead author. The sample included newly trained constables and more senior police positions (titles are removed to protect participants' identities). All the interviews were conducted at the offices/police stations of Kolkata Police. Interviews lasted from 30 minutes to two hours. The police interviews were designed to gather information about: (1) views and perceptions on gendered violence; (2) their response to sexual violence in terms of their role, processes and challenges involved; (3) their networking with other agencies/public/civil society in cases of rape and sexual assault; and (4) their idea of a safe environment for women.

## Analysis

The interviews were conducted in English, Hindi or Bengali (vernacular language), depending on the interviewee's preference. All the interviews were audiotaped, transcribed and translated into English, and analysed qualitatively for salient themes. Reflexive thematic analysis (Braun & Clarke, 2021a) was carried out to analyse the interview transcripts along with other supplementary material (e.g. notes taken during interviews). Braun and Clarke's reflexive thematic analysis aligned well with the dataset because it rejects positivism and acknowledges the importance of rich and relevant experiential data rather than simply sample size (Braun & Clarke, 2021b). Accordingly, the transcribed data were coded, actively interpreted through an intersectional feminist perspective and organised into themes and sub-themes. All the transcripts were read by the lead author and manually coded for topics relating to the police response. These codes were then collated into themes, which form the study's findings. The themes in the victim-survivor interviews are largely semantic and descriptive, while the themes from the police interviews are latent with interpretation of inferred meaning (Braun & Clarke, 2021a). This distinction was made because victim-survivors were relaying their experiences, so we wanted to represent their intended meanings accurately. With the police interviews, we applied a feminist lens, which required us to deduce the themes. For example, we interpreted some police quotes as victim-blaming, which resulted in the key theme *socio-political environment*.

## Results

### *Victim-Survivor Experiences of the Police Response*

This first section presents the themes appearing in the interviews with victim-survivors. These include police responses when a victim-survivor first approached a police station with a complaint of rape. Responses are focused primarily on interactions and action/inaction by the police, with two overarching themes found in survivors' narratives: insensitive and sensitive police responses. The police response was categorised as sensitive when the survivor found the police supportive and active, and as

insensitive when the survivor found the police to be hostile and inattentive. Each theme, along with the related sub-themes, is discussed below.

### *Insensitive Response*

As one of the first responding agents of the criminal justice system, the police are required to respond to a sexual assault victim in accordance with the law. In 2008, the Supreme Court of India, in *Lalita Kumari v Government of Uttar Pradesh and others*, clearly reiterated that registration of a First Information Report (FIR) for a cognizable offence is mandatory without any preliminary inquiry. In other words, rape is a cognizable offence and an FIR indicates the police are taking action and “bringing the criminal case into motion” (Swetapadma et al., 2023, p. 15).

A negative experience of the police system (i.e. an insensitive response) ran through two of the victim-survivors’ interviews. The participants differed in their personal and socio-cultural contexts. Here, three sub-themes are outlined, in which the construction of insensitive responses were evident as: (1) humiliation and derision; (2) disbelief and intimidation; and (3) indolence and corruption.

**Humiliation and Derision.** Two victim-survivors identified a police occupational context in which they were humiliated and derided by the same police who were meant to help keep them safe. When Sarah went to the police station for the first time three days after her rape, she was mindful of an unsupportive environment. Her family members had warned her of the “repercussions” of reporting the incident to the police. They were scared that the police would use the fact that she was drinking at a club against her. All her fears materialised when Sarah went to lodge the police complaint:

I was humiliated. Every cop who came on duty asked, have you been raped? The first question I was asked after submitting the written complaint was, ‘Is beer your favorite drink?’

When I went to collect my FIR, I was welcomed with taunts. The investigating officer asked his junior officer, let’s go to Tantra. Today is 14th February, it’s Valentine Day. You don’t go to disco and clubs that’s why you are single. Let’s have a cold beer today. He was looking at me and laughing while he spoke to his junior. My aunt was also livid, but I calmed her down.

When Simmi went with her aunt, Banu Begum, to file a complaint about her rape to the police station, she too faced ridicule. The police ridicule made her more uneasy. Simmi recalled the day she went to the police station:

When my aunt told the cop at the counter that Alam had raped me, he started laughing. He said, Alam is a nice person; he can’t do such a thing.

Fear of being humiliated and mocked by the police for reporting rape is not unfounded. Previous research has found this fear often dissuades women from reporting rape to the police (Lorenz et al., 2019).

**Disbelief and Intimidation.** Another sub-theme was disbelief and intimidation by the police. The characteristics of being poor, illiterate, lower-caste and vulnerable appeared to compound in experiences of not being believed. This was evident in the case of Simmi, who was mocked and viewed with suspicion:

Another cop on hearing him laugh came and enquired. He said, you are lying, concocting the story. The police did not listen to us. They think of us as ‘zahil’ (illiterate and ignorant).

Simmi’s use of the word *zahil* indicates her powerlessness compared with people who are educated, higher-caste and “know the rules”, including the police. Class and caste bias is apparent in this case where a poor, powerless girl is rebuked for alleging rape against a wealthy, higher-caste, influential accused, named Alam, who was close to the police.

All the four cops were standing close to me. Guddu bhai [Victim-survivor’s neighbour] was seated on the next table. He was given a pen and paper to record my complaint. They asked me what happened. I was very nervous surrounded by so many cops. All the while they (including the lady cop) kept saying, you are lying. Speak the truth otherwise there will be action against you. I was very scared and ashamed to express myself. With Guddu bhai and other men around how could I utter the word rape? I said, Alam took my friend to a room and did something dirty with her. He keeps teasing me as well. The entire experience was very intimidating.

As Simmi answered police questions, they dictated the answers to Guddu (her male neighbour), who then helped her lodge the FIR. Due to the shame and taboo of speaking about rape in the presence of men, the FIR lodged did not include the word rape

but mentioned molestation. The case was registered only when the male neighbour, Guddu, accompanied them and urged them to take the complaint. Simmi and Banu needed a “male guarantor to verify the case” (Prasad, 1999, p. 484). This case demonstrates how filing rape in close-knit communities can be complicated in India due to class and neighborhood dynamics, whereby some members of the community have more power than others. In Simmi’s case, it is clear how multiple forms of oppression such as gender, class, and caste intersected to contribute to injustice, especially when the perpetrator was in a position of power and higher social standing.

**Indolence and Corruption.** While Sarah and Simmi pointed towards negative police attitudes, their narrative accounts also described police inaction and their connection with the criminal. Sarah described police inaction and hopelessness:

I did not see any hope. They were not taking my case seriously. They had asked for nothing. They were very relaxed about the whole thing. Whether they knew the guys and wanted to protect them or what I don’t know. The investigating officer at [de-identified station] had mentioned that he knew one of the men. I don’t know if he knew the actual culprit or the person whose name was used, as fake names were used. But at least he could have investigated.

The negative response of police compelled Sarah to seek the media’s help to get the police to work on her case. The sense of being wronged and the lax attitude of the police were so deep that Sarah felt she had no choice but to go public about her rape in the hope of getting justice. She said:

If I had resorted to seeking media’s help, you could very well imagine how disappointed I was with the police attitude. Which girl in her right senses will stand in front of the camera and say that I have been raped? I was trying to pull up anything that could help me. I knew that once this news becomes public, I should be ready for my character assassination.

Similar accounts of police indolence and corruption were evident in Simmi’s case. After the case of rape was filed against the accused rapist, Alam, a counter-case of robbery was filed by Alam’s relatives against Guddu. This was done to harass Guddu and put pressure on Simmi to withdraw the case. Simmi and her family were getting constant threats from Alam and his family. Alam was still not arrested, and the police were trying everything to protect him. Subsequently, Guddu ended his own life, becoming a victim of police apathy and inaction.

After Guddu’s suicide, the local police came to action. Guddu’s death drew the media’s attention to the case. Alam was arrested the very next day, and Simmi was taken for medical examination and a charge-sheet filed in the court. Three of the police officers were suspended and criminal cases of abetting suicide and erring in their duties filed. Given Guddu’s death and the media’s attention the case had generated, Simmi’s rape trial was completed within six months.

### *Sensitive Response*

A positive (i.e. sensitive) police response also ran through two victim-survivors’ narratives. Banu’s example and Sarah’s later police interactions reflect how they both experienced elements of a sensitive police response. Here, the sub-themes focus on accounts of (1) diligence and (2) promptness.

**Diligence.** When Sarah’s rape suddenly attracted the media spotlight, she received a call from the Police Headquarters. The Women’s Grievance Cell (WGC) at the Police Headquarters took up Sarah’s case and immediately began the investigation in an attentive manner. Three of the accused were arrested within two days after the WGC took up the case. Sarah recounted:

When I saw how diligently, honestly, and quickly the officers at the Police Headquarters worked, I saw a ray of hope. Female officers surrounded me and it felt so comforting. Even the male officers present there treated me with respect. Nobody made fun of me. They were interested in finding the culprits and getting to the bottom of the case.

**Promptness.** Banu went to the police station the same night Alam raped her. She went to the same police station where Simmi’s rape complaint was filed. Two women who found her on the streets in torn clothes helped her reach home and accompanied her to the police station. The police reacted immediately. Banu narrated:

When I told the cops that I was abducted and raped, they immediately took me to the hospital for medical examination. During Simmi’s time, the cops stationed there were not good. They had good relations with Alam. After Guddu’s death, they were removed from here. The new cops are good.

The police responded to Banu’s complaint without any delay. They followed the procedure of depositing her clothes for forensic examination. Alam and his accomplices were arrested a month after the incident. By the time of the author’s interview with Banu, her case had gone to court for trial. It is worth noting here that Banu’s experience with the police was different from the

others. She was prompt in reporting the case—unlike the others, who faced delays in reporting. The rape occurred at night in a non-domestic setting, and Banu presented to police with torn clothes and injuries. Additionally, Banu had witnesses who accompanied her to the police station and corroborated her account of being raped. In many ways, her case satisfied elements of the “real rape” stereotype (Dey, 2019). As she was raped by Alam (the perpetrator who was accused of raping Simmi) and Simmi’s case had already garnered media attention, the police were prompt in responding to Banu’s complaint. Unlike Sarah (who had been victim-blamed for drinking at a nightclub), Banu’s credibility was not questioned by the police. While Banu’s circumstances may have contributed to the positive outcome of her interactions with the police, changes in the police personnel following Simmi’s incident also likely played a role.

### ***Factors Impacting Police Responses to Rape***

This section presents the findings from interviews with police personnel. The concerns raised by the police while responding to rape victim-survivors are discussed with reference to four sub-themes: (1) police occupational culture; (2) socio-political environment; (3) the police–criminal nexus; and (4) the media spotlight. Each sub-theme is presented with interview data, then synthesised to explore the impact of sexual violence on victim-survivors.

#### *Police Occupational Culture*

Police occupational culture guides and helps frontline officers to shape their interactions with the public. However, informal norms and values often take precedence over legal rules and may also reinforce stereotypes based on gender, caste, class and race (Marhia, 2012). In the current study, police officers’ ideas of deservedness guided their decision-making about which cases were to be reported and investigated. This is evident in the police descriptions of their various roles and interactions in dealing with rape cases. In one interview, a police officer talked about the predicament of police in general. Sanjeev (Officer-in-Charge) referred to the lack of resources and workload as a reason for police reluctance to register rape cases. According to him:

We are so overburdened with work. There is lack of manpower and increased workload. Sometimes we have to work in long shifts. We don’t have so many police personnel to devote them to deal with rape cases.

Another police officer, Devika (senior member of police), remarked:

Rape cases are considered to be tough cases which require considerable time and lots of investigation including forensics. So, the police officer on duty usually tries either to delay the reporting to shirk her/his responsibility to the next person on duty or simply denies registering the FIR. Another reason for reluctance is their lack of training in dealing with rape cases as it often requires dealing with traumatised survivors.

It is highlighted here how police attitudes and resource constraints impact the handling of sexual violence cases. It appears rape cases are often thrown into the “too hard basket” and considered less deserving of police time and resources compared with other crimes. This then becomes part of the broader occupational culture and approach to responding to rape.

#### *Socio-Political Environment*

The police are a part of larger society. The general social conditions shape their upbringing, education, values and opinions. Even though the police should treat every case seriously, the management of rape cases is also guided by socio-cultural perceptions. The victim-blaming and socio-cultural prejudices against women are evident in many of the interviews with the police personnel, irrespective of their gender. For example, many of the police subscribed to the rape myth that women often lie about rape. Indeed, an officer of the Kolkata Police roughly estimated this as accounting for 60 per cent of all rape cases and explained that this was a common reason for not investigating every rape case. Islamophobia and prejudices against young women in rural communities were also apparent. For example, a female inspector remarked:

I have worked in many of the police stations as officer-in-charge. I found that wherever they ... never mind me saying this, wherever the percentage of Muslim population is much, the rape is much there. I mean the number of rapes is on the increasing trend there. Rape cases happening in rural areas.

Meanwhile, while talking about women’s safety in the city, a senior female officer exemplified a victim-blaming attitude:

If you wear short dresses, would you be worshipped? If a woman wears short dresses, dances, and drinks, she is prone to be raped.

Another reason for not investigating rape cases, though mentioned quietly, is political. One police officer (Abir) mentioned that the administration wants criminal cases such as rape to be kept low for “image management”. Another officer remarked:

West Bengal politics in the last few years had seen the use of rape as a weapon to settle scores with the opposing political party. So, cases of rape are looked at with suspicion, of getting motivated by the party in opposition. In some cases, the accused have some connection with the ruling party, so that there is someone who is protecting the culprits at that level, and the police are not willing to act.

### *Police–Criminal Nexus*

The police–criminal nexus refers to perpetrators and crime groups forming collaborative relationships with police in order to exploit systems and avoid punishment. The police might benefit from such relationships through money and information (Godson & Olson, 1997). The police–criminal nexus and nepotism make governance a difficult task. It results in compromising the rule of law and shaking people’s trust in law-and-order agencies. One police officer, on the condition of maintaining anonymity, narrated that every police station has its own way of running the *thana* (an Indian police station). Police use the services of some local person, usually known as a police informer, to get information. Alam was one such informer. But he also ran an illegal construction business and paid bribes to the police. His closeness to the police prompted three of the officers to deny filing a rape case against him and abetting Guddu’s suicide.

### *Media Spotlight*

With increased media coverage of sexual assaults in India, the police often come into the spotlight for not responding in the prescribed legal way. In two cases presented in this article, the media played a major role in generating the much-delayed positive response from the police. In Banu’s case, where the police response was positive from the beginning, it was also because of the media attention that Guddu’s suicide had garnered. In most of the interviews with the police, it was evident that media attention to rape cases has resulted in increased investigative responses. As one inspector acknowledged:

With increasing media of different kinds, media coverage of rape has also increased. This sometimes puts pressure on the police to be on tenterhooks. Often media reports highlight police inaction in rape cases but they fail to report the follow up. They put police in the line of fire. Media creates sensation and panic amongst people but hardly follows up the case. Many times, after investigation, we have found that the case was baseless, rape did not happen. But those reports are not covered by the media.

Here the officer is acknowledging the role of the media in prompting police action, but the sentiment indicates criticism of the media and continued scepticism about victims’ reports. This suggests that the media can prompt police action, but there is still a long way to go when it comes to changing deeper attitudes and perceptions.

## **Discussion**

This research has provided unique insight into police responses to rape in metropolitan India through the lens of both victim-survivors and police personnel. The interviews with victim-survivors indicated both insensitive and sensitive responses. Insensitive responses were marked by disbelief, intimidation, humiliation, indolence and corruption. Sensitive responses featured diligence and promptness. Interviews with police personnel indicated that insensitive responses were influenced by police occupational culture, socio-political environments and a police–criminal nexus. Sensitive responses, on the other hand, were often prompted by the media spotlight.

Consistent with other research (e.g. Damiana & Singh, 2022; Tripathi, 2020; Tripathi & Azhar, 2021), patriarchal police attitudes were on display in both the victim-survivor and police interviews, likely contributing to the insensitive police responses. For instance, police made certain judgements about Sarah’s personhood (partying, drinking), and did not seriously investigate the case. The deep-seated misogyny against women who fail to adhere to societal norms is reflected in the police response. The response also reflects victim-blaming attitudes, which see the woman as a party to the crime. The position that women have invited sexual assault on themselves either by their dress or mannerism is not uncommon (Simon-Kumar, 2014) and seems to be embedded in institutions of governance, including the police. Such an attitude also stereotypes rape victims as good victims and bad victims, and rapes as genuine or false. This stereotyping is based on rape myths prevalent in police attitudes, including that victims often lie about rape, that the survivor provoked the accused, or that an attack by a stranger is more serious than one by a person known to the victim (Brereton, 2019; Damania & Singh, 2022). Importantly, as Tripathi (2023) points out, victim-blaming can be exacerbated when a victim-survivor also has characteristics that intersect with and contribute to their marginalisation. For example, there was significant victim-blaming in the *Hathras* case when the victim was a young *dalit* (lower-caste) woman who lived in a rural location and was raped by higher-caste men. Such a case bears a resemblance to Simmi’s characteristics and experiences in the current study.



Through an intersectional feminist lens, it was evident that the police responses were biased towards people depending upon their gender, caste, class, and socio-economic status. Indeed, it has been argued that police often treat people who are low in class and caste with disregard, viewing their reports of crime with suspicion (Dey, 2019; Pal, 2018; Reiner, 2010). A woman belonging to a marginalised sector of society is doubly disadvantaged, being a woman as well as economically marginalised. Simmi, in this research, was trebly disadvantaged – she was a young woman, poor, lower caste and the victim of a crime such as rape. In her view, the police look at people like her as *zahir*. This term means illiterate, ignorant, unladylike (for women) and uncivilised. Although Simmi did not raise religion in the interviews, it is possible that her identity as a Muslim woman also played a role in the police response. One police officer indicated Islamophobic attitudes in their interview, and previous research has highlighted that a person's religion can impact how they are perceived by the community (Dey, 2019; Tripathi, 2023). For example, Dey (2019) discusses how upper-caste Hindu women are often considered “ideal” Indian women while lower-caste Muslim women might be less likely to receive media attention, generate public outrage and attract swift criminal action following a rape case. The insensitive police response to Simmi likely stemmed from a bias coupled with the police–perpetrator nexus. Patriarchal and institutional police bias against economically disadvantaged women such as Simmi has been documented in other research in India (Marhia, 2012; Tripathi & Azhar, 2021). Broader public prejudice against marginalised women could also impact whether media can be used to enact a police response. As we have seen, some victim-survivors may be able to use media to their advantage to prompt police responses, but this might be more difficult for marginalised women who are often less likely to receive public outrage and media attention (Dey, 2019).

The findings indicate that standard procedures for registering a rape complaint were not followed by the police in accordance with the law (Verma et al., 2013). The Indian Supreme Court's judgment regarding mandatory registration of a ‘First Information Report’ for cognizable offences such as rape without any preliminary inquiry was openly flouted. In two of the cases, the police failed to follow the standard procedures of registering rape complaints – like mandatory registration of an FIR, conducting victim investigation in the presence of a female police officer/female relative, charging the perpetrator with the proper sections of the Indian Penal Code, timely medical examination, forensic examination, timely investigation and arrests of the accused. If police follow even these basic procedures, rape survivors might feel some sense of procedural justice (Hohl et al., 2022). On the contrary, the discretionary practices of the police took precedence over the law and as a result the survivors suffered.

The findings also add to discussions on women's police stations, which are present in India and other countries across the world (Carrington et al., 2020; Natarajan & Babu, 2020). This research demonstrated that the mere presence of women police does not necessarily guarantee gender-sensitive responses to rape when women keep imbibing the masculine culture and reproducing patriarchy (Mirchandani, 2006). Police organisations in India are often patriarchal institutions with very few women. In fact, women in the Kolkata police account for less than 2 per cent of the total strength (based on data provided by the erstwhile Joint Commissioner, Crime Branch, Kolkata Police). Women officers tend to adopt several adaptation strategies for gaining acceptance into the masculinist occupational police culture (Marhia, 2012). One of these is to be like the male police officers. In such a role, women police also respond insensitively to rape victims as in Simmi's case, where the woman police officer was no different from her male counterparts in threatening and dissuading Simmi from filing the complaint. However, the women police officers at the Women's Grievance Cell (WGC) were sensitive to Sarah and performed their professional duty. WGC, located at the Kolkata Police Headquarters, is constituted primarily of women police to focus on women-centric crimes. Any concrete claims about the gender-sensitive attitude of WGC would require a detailed study. In the meantime, however, it is argued that all officers need to be sensitised to the handling of rape cases, regardless of their gender. While women's police stations may hold promise in responding sensitively to victim-survivors, male police must also be held accountable for their response to rape victims instead of shirking the responsibility of dealing with gender-based crimes. Women's Help Desks (discussed in the introduction) may be another promising model that balances a gender-responsive and mainstreamed approach to rape cases in India (Sukhtankar et al., 2022). To reiterate, they have helped to increase police responsiveness in rape cases in Madhya Pradesh. Several elements seem to be key to their success: their location in regular police stations, training of both male and female police officers, regular monitoring of procedures and being led by female officers of senior ranks (Sukhtankar et al., 2022). Tripathi and Azhar (2021) further emphasise that with greater representation of female police officers, we need to ensure that they are present at every rank of the organisation and have equal participation in decision-making.

## Limitations

The interviews in this study were conducted in 2014–2015, which means the data are somewhat dated. Nevertheless, the interviews were conducted after major changes to rape laws in India (Verma et al., 2013) and the findings are still relevant for understanding police responses to rape moving forward, especially in the light of more recent research that highlights similar trends (e.g. Swetapadman et al., 2023; Tripathi, 2020). The qualitative analysis is based on interviews with three victim-

survivors of rape and 15 police personnel. Future research should seek to garner a wider array of victim-survivor stories and experiences, across metropolitan, regional and rural areas.

### **Conclusion and Future Directions**

It has been shown that police responses to rape in metropolitan India were guided by both internal and external factors, such as media coverage, police culture, workload, prejudice and corruption. Through victim-survivors' narratives, coupled with police perspectives, it was evident that rape complaints were not often prioritised as police work, unless there was a form of external "nudging" (e.g., attention to a case in the media). Positive police responses seemed to be knee-jerk reactions rather than following duties prescribed by law. This is concerning for both victim-survivors and alleged perpetrators. Police decisions to investigate an allegation of rape also appeared to be tainted by victim-blaming attitudes, which reflect patriarchal attitudes held by the criminal justice system and society more broadly (Damiana & Singh, 2022).

It was clear that victim-survivors were not guaranteed a consistent or sensitive response from police when reporting rape. Indeed, two of the victim-survivors in this research were subjected to judgement and humiliation from police, likely contributing to secondary trauma (Campbell et al., 2001; Maier, 2008). The findings signal how the police response can affect the morale of rape victims and advocates fighting for their cause. An insensitive response can lead to circumstances of despair, even resulting in loss of life—as was shown in one of the cases. Conversely, sensitive responses might help to bring about a sense of procedural justice (see also Hohl et al., 2022) and impact the reporting decisions of victim-survivors (Amaral et al., 2021).

The police responses in this research indicated a tension between *de jure* and *de facto* law in action. In other words, police practices did not match what is required by law (Verma et al., 2013). There is an urgent need to address police responses to rape survivors through coordinated efforts of various stakeholders in governance. The state government needs to bring about police reforms based on the recommendations of various commissions, such as the West Bengal Police Commission and Supreme Courts directive in 2006. For example, West Bengal constituted the State Police Complaints Authority in 2010, but it is still not operational. This recommendation would help members of the public make complaints against police and should be a priority moving forward. This recommendation would help to lay down practical mechanisms to kick-start police reform and enhance police accountability.

Gender-sensitisation training might also help to promote a supportive, lawful and positive police response to victim-survivors of sexual violence (UN Women, 2019). Some research suggests that gender-sensitive modules are helpful in promoting police responsiveness in rape cases in India; however, the research also found that it was mostly female officers who benefited from the training (Sukhtankar et al., 2022). Other research has found that while police might agree with the general principles of gender-sensitive training, they can struggle to operationalise it in appropriate ways (Raman & Komaraju, 2018). As Tripathi and Azhar (2021) contend, criteria for gender-sensitive policing should be developed through community-participatory research that involves both police organisations and victim-survivors. We hope our dual-sample research helps to inform such endeavours.

Victim-survivors who choose to report rape to police should be met with timely, diligent and supportive responses. There is also an increasing need to look beyond the criminal justice system to support victim-survivors and prevent sexual violence from occurring in the first place (Daly, 2022; Henry et al., 2015). We need to continue to listen to Indian women's experiences and needs in shaping prevention efforts and appropriate responses to sexual violence.

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<sup>1</sup> Park Street rape case in 2012 reported in *Indian Express*, February 19, 2012; *The Times of India*, February 22, 2012; *The Times of India*, August 4, 2014; Nirbhaya Delhi gang rape case in 2012 reported in *The Hindu*, December 23, 2012; the *New York Times*, January 3, 2013; *The Times of India*, July 14, 2014; Shakti Mills gang rape case in 2013, reported in *The Telegraph*, August 23, 2013; *The Times of India*, August 23, 2013; refer also to Unnao rape case in 2017, reported in *The Indian Express*, April 12, 2018, *India Today*, March 13, 2020; refer Hathras gang rape case in 2020, reported in *India Today*, September 29, 2020; *The Outlook*, December 18, 2020.

<sup>2</sup> Secondary victimisation refers to “victim-blaming attitudes, behaviour, and practices engaged in by community service providers, which further the rape event, resulting in additional trauma for rape survivors” (Campbell et al., 2001, p. 1240).

<sup>3</sup> The Women’s Grievance Cell (WGC) is a special cell under the Detective Department used to address crimes against women, situated at the Kolkata Police Headquarters.

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