

[AS PASSED BY THE SENATE]

A

BILL

further to amend the Anti-Rape (Investigation and Trial) Act, 2021

WHEREAS it is expedient further to amend the Anti-Rape (Investigation and Trial) Act, 2021 (XXX of 2021), for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement.- (1) This Act may be called the Anti-Rape (Investigation and Trial) (Amendment) Act, 2023.

(2) It shall come into force at once.

2. Amendment of section 4, Act XXX of 2021.- In the Anti-Rape (Investigation and Trial) Act, 2021 (XXX of 2021), in section 4, in sub-section (1), for the full stop "." Occurring at the end, a colon ":" shall be substituted and thereafter, the following proviso shall be added, namely:-

"Provided that even in the absence of an anti-rape crisis cell, all Government hospitals shall immediately provide the first-aid or free of cost medical treatment and to prepare a report followed by the medico legal examination by an authorized Medico Legal Officer (MLO) without delay of a rape victim coming/brought for emergency treatment in that hospital and shall immediately and compulsorily inform the police of such incident."

STATEMENT OF OBJECTS AND REASONS

Sexual assault is a traumatic event that affects people in different ways, both mentally and physically. So doctors and nurses know care immediately after an assault needs to be understanding, compassionate and sensitive. This is particularly so during forensic examinations where the main purpose is to collect evidence as quickly as possible after, but within 72 hours, of the assault. This evidence may be vital to secure a conviction and may be lost or contaminated if there is a delay.

2. Unfortunately, various cases have been reported in our country where victims of rape or sexual violence seeking emergency medical assistance following an attack, are either saddled with thousands of rupees in medical bills or blatantly refused from getting the required medical treatment.

3. The purpose of this amendment is to penalize the medical professionals for the criminal negligence they observe in treating such sensitive cases which is a mandatory component of their official duty.

SENATOR SAMINA MUMTAZ ZEHRI
MEMBER-IN-CHARGE