

DRAFT GUIDELINES FOR SPEEDY DISPOSAL OF CHILD RAPE CASES.

- (i) The complaint relating to child rape cases shall be recorded promptly as well as accurately. The complaint can be filed by the victim or an eyewitness or anyone, including a representative of non-governmental organization, who has received information of the commission of the offence. The case should be taken as follows:
 - a) Officer not below the rank of SI and preferably lady police officer.
 - b) Recording should be verbatim
 - c) Person recording to be in civil dress
 - d) Recording should not be insisted in police station, it can be at the residence of the victim.
- (ii) If the complainant is the child victim, then it is of vital importance that the reporting officer must ensure that the child victim is made comfortable before proceeding to record the complaint. This would help in ensuring accurate narration of the incident covering all relevant aspects of the case. If feasible, assistance of psychiatrist should be taken;
- (iii) The Investigating Officer shall ensure that medical examination of the victim of sexual assault and the accused is done preferably within 24 hours in accordance with Cr. PC Sec. 164 A. Instruction be issued that the Chief Medical Officer ensures the examination of victim immediately on receiving request from I.O. The gynecologist, while examining the victim should ensure recording the history of incident;
- (iv) Immediately after the registration of the case, the investigation team shall visit the scene of crime to secure whatever incriminating evidence is available there. If there are tell-tale signs of resistance by the victim or use of force by the accused those should be photographed;
- (v) The Investigation Officer shall secure the clothes of the victim as well as the clothes of the accused, if arrested, and send them within 10 days for forensic analysis to find out whether there are traces of semen and also obtain report about the matching of blood group and if possible DNA profiling;
- (vi) The forensic lab should analyze the evidences on priority basis and send report within couple of months;
- (vii) The investigation of the case shall be taken up by an officer not below the rank of S.I. on priority basis and, as far as possible, investigation shall invariably be completed within 90 days of registration of the case. Periodical supervision should be done by senior officers to ensure proper and prompt investigation;

- (viii) Wherever desirable, the statement of the victims u/s 164 Cr. PC shall be recorded expeditiously;
- (ix) Identity of the victim and the family shall be kept secret and they must be ensured of protection. IOs / NGOs to exercise more caution of the issue.

TRIAL COURT

- i) Fast Track courts preferably presided over by a lady judge and trial to be held in camera;
- ii) Atmosphere in the court should be child friendly;
- iii) If possible, the recordings be done in video conferencing / in conducive manner so that victim is not subjected to close proximity of accused;
- iv) Magistrate should commit case to session within 15 days after the filing of the charge sheet.