

A COMPARATIVE STUDY OF INDIA'S GENDER-BASED AND GENDER-EQUAL SEXUAL ASSAULT LAWS

Moumita Rout Majumdar ¹ and Dr. Deepashri S Choudhari ²

¹ Research Scholar, Amity Law School, Amity University, Maharashtra, India.

² Associate Professor, Amity Law School, Amity University, Maharashtra, India

DOI: [10.5281/zenodo.10066052](https://doi.org/10.5281/zenodo.10066052)

Abstract

Rape is the most extreme kind of sexual assault, which starts with persistent and intense sexual harassment in less severe forms that often goes unrecognised. The Indian Penal Code, 1860 was implemented in British India during the early years of British Raj and remains in effect with appropriate modifications. Despite the growing prevalence of many types of sexual assault, the Indian Penal Code, 1860 inadequately defines the concept of sexual assault. The Indian Penal Code (IPC) explicitly designates 'Rape' as the exclusive kind of sexual assault. Although the Criminal Law Amendment Act of 2013 broadened the definition of rape, in response to the Delhi Gang Rape Case of 2012, this crime still mostly targets one gender. The legislation of multiple countries, specifically the United Kingdom and the United States, has addressed the present demand by enacting laws concerning the same matter. This legislation retains the offence of 'rape' while also adding a more encompassing offence known as 'Assault by Penetration' and a separate category for 'Sexual Assault'. The objective of this essay is to make a comparison between the legal frameworks governing sexual assault in India and the United Kingdom and the United States, while employing a human-rights-centered approach to define the offence of sexual assault. The main objective is to examine the current legislation on sexual assault in India and the United Kingdom, and evaluate the influence of gender in classifying the individuals engaged in sexual activities in India.

INTRODUCTION

The term sexual assault is a key issues as per the political and legal constraint of any country. The current laws in India have an intention to define the women as a victim of the incident and a man as the perpetrator. On the other hand, if a man becomes a victim and the woman is a perpetrator, there is no certain law to prove the woman guilty. The present societal terms in Indian subcontinent only intends to declare Men as a perpetrator in sexual assaults before proven guilty. This Omni channel view can be changed if acts and laws are explored and regulated in the context of gender neutrality. On the contrary the laws regarding the context describe similar incidents as India. It is considered that sexual assaults is believed by an act of rape. In the context of the UK, it is believed that sexual assaults may happen on any gender based persons, whether its men, women or transgender people. This research report will discuss the current scenario of India in respect to gender neutrality in the crime of sexual assaults. The report will discuss the background and historical context of gender neutrality in India. Sexual assault forms the foundation of any general public's obligation to protecting the nobility and independence of its community.

Background And Historical Perspective

In India, as in many regions of the planet, these regulations have gone through huge development after some time, reflecting changing cultural standards and a developing acknowledgment of individual freedoms. In this context, the basic viewpoint that requests a faster response and consideration is the requirement of impartiality inside these lawful systems. Social reformers and law experts need to consider that offenses and assaults could take place on any person. There are several articles and acts which

should be based on gender bias in the context of sexual assaults in India (Jassal, 2020). The problems in sexual assaults in the Indian subcontinent was first raised in the year of 1996 while Delhi High Court evaluated a petition in an involving case, “Smt. Sudesh Jhaku vs K.C.J. And Others”. During the case it is stated by the concerned Apex court that the men who might have faced the journeys of sexual assaults should be equally treated as women victims (Mwando, 2021). As per the 172nd report of law commission, they suggested heinous crimes such as sexual assaults need to be based on gender bias. As per the section of article 14 according to the constitution of India, it has been defined that each individual in the land of (Indian subcontinent needs to be treated equally before the law and thereby similar protection of laws will be placed irrespectively in content of caste, religion, ethnicity and sex. The present provision of the IPC act “section 375”, it states clearly that sexual assault or rape is a crime which is basically perpetrated by a man towards a woman. The IPC act 375 and 376 by the law of Indian Constitution defines women as a victim and men as perpetrator where as it should be based on gender neutrality to reform the acts and laws of sexual assaults and rape attempts.

Apart from that, other acts have been established and one of them is the “POCSO” act in the year of 2012. The act includes both the male and female child victims. However, the present context of sexual assault in Indian law is unable to defend the huge number of male victims. Those persons are not able to look for justice due to fear, shame and societal thinking of India (Pallathadka, *et al.* 2021). It is also responsible for the lack of legal remedies and law to defend their stands. The human rights commission of India has examined and observed that whether it is an act of rape attempt or sexual assault which is the sole reason for suicide attempt of prisoners in jail and reformation centers in India.

In terms of international perspectives there are 77 countries which have embraced and reflect the laws and acts in respect to gender neutral laws in the context of sexual harassment. In the territory of the UK, the “sexual offenses act 2003” is able to inform that rape and sexual assault can be stated as an attempt to sexual intercourse which should not be occurred without primary consent (Jain, 2023). Thereby it claims that it should be based irrespectively without creating the idea of gender bias.

In context of Sweden, the law recognizes the attempt of rape as a heinous crime while that is committed against anyone. Thus it clearly states that sexual attempt, intercourse if carried out without the permission and consent would be dealt with as a legal crime which defines the way of violence and threat.

The legal framework in current perspective

The legitimate and legal framework for upholding impartiality in rape regulations and sexual assaults in India has developed in recent times, with a near report uncovering qualifications and likenesses. In India, the requirement of impartiality in rape regulations and sexual assaults has been a subject of principal significance, especially considering the developing familiarity with orientation-based brutality (Aina-Pelemo, *et al.* 2020). The lawful scene has gone through significant changes with milestone cases and regulative alterations.

The Indian Penal Code (IPC) has been the foundation to prohibit sexual assaults in India. By this, assault regulations in India fundamentally centered on the security of ladies as casualties, mirroring a man centric culture's viewpoint. Be that as it may, the 2013 Criminal Regulation Act denoted an essential second by presenting sexually

unbiased arrangements. This revision widened the meaning of rape and sexual assaults to incorporate both male and female casualties, recognizing that sexual viciousness can influence anybody, paying little heed to orientation.

Relatively, the Unified Kingdom has a deeply grounded lawful system tending to sexual offenses. The Sexual Offenses Act 2003 envelops a thorough scope of offenses, including assault, rape, and others. The Demonstration is intrinsically sexually unbiased, applying similarly to all sexes as the two casualties and culprits. One striking comparability between the two lawful systems is the acknowledgment of non-consensual infiltration as a grave wrongdoing, paying little mind to orientation (Senthil, and Vajiram, 2023). India and the UK treat such offenses with seriousness, mirroring a comprehension of the general effect of sexual brutality.

However, challenges continue authorizing sexual equity in India. Regardless of regulative changes, accepted practices and inclinations frequently frustrate successful execution. Announcing rates for male casualties stay low because of shame, while people experience extraordinary obstacles. The UK, with its more impartial legitimate methodology, may give bits of knowledge into tending to these difficulties. The legitimate system for implementing impartiality in rape regulations in India has taken critical steps with official alterations, yet with challenges in cultural mentalities and authorization (Act, P.O.C.S.O., 2023). A relative report with the UK highlights the significance of an unbiased lawful structure that perceives the variety of casualties and culprits, giving a far-reaching establishment to combating sexual savagery.

In terms of India's perspective, those are,

Section 375: according to this law, this segment denotes the sexual assault and attempts which is based on to gender prolific considerations, where it can only presume that men might play the role of perpetrator. In the year of 2013, during the Nirbhaya case it was stated that laws need to be based without gender bias.

POCSO: This act has been implemented to defend sexual attacks and assaults against children irrespective of gender, caste, religion, ethnicity and sex (Anchan, *et al*/2021). This act was established to inform gender neutrality towards sexual offenses.

The act of sexual harassment of women in workplace: this act has been implemented in the year of 2013 to convey the workplace harassment for women. During the implementation of the law it has been stated that both men and women both would be labeled in the role of perpetrator.

In terms of the UK,

The act of sexual offenses (2003): The law plays against sexual misconduct were considerably changed by this legislation. In order to acknowledge the fact that both men and women may commit and be perpetrators of sexual offenses, gender-neutral wording was added. It assigns different levels of sexual assault distinct categories and stipulates suitable sanctions.

Notion of consent: in recent times the UK has upgraded to reform its laws and legislations to address the issues like sexual assault. It is stated that permission and consent is the most significant factor.

Examples and case studies

Smt Sudesh Jhaku vs KCJ: In the year of 1996, the Delhi high court informed a petition on “Smt. Sudesh Jhaku vs KCJ”. Where it was noted by the apex court that men who are assaulted sexually will be able to have the similar protection as the female victims. In other forms, it can be noted that the women who make a rape attempt without any consent towards the male victim would be liable for conviction and hence the women perpetrator will be labelled as a “conventional rapists” (Deer, 2019). Afterwards, the matter was examined for the law commission of India to decide the said matter by the apex court.

Sakshi vs Union of India: In the year of 2000, the supreme court of India asked the law commission of India to examine the matter of “Sakshi vs Union of India”. The apex court of India asked that the law code under “**section 375**” should be based on gender neutrality. The commission advised and recommended through its 172nd report that the act of sexual assaults should be changed and reformed to inform the rape attempt in broader image and aspects. These aspects will be able to cover the non-permitted sexual assaults and attempts (Krishna, and Tripathi, 2022). This recommendation on the matter of this case has been able to inform that perpetrator and the victims of sexual assaults should be judged irrespective of gender, caste, religion, ethnicity, religion and sex.

The Nirbhaya Case: In the year of 2012, on Delhi one of the most heinous sexual assault took place. A young lady was raped in a savagely violent way that was committed by three to five persons. It has been the most offensive and heinous crime in India which shook the whole country (Mathur, 2023). The case was administered and led by Justice J.S. Verma which was later recommended and suggested for amendment to the laws of sexual attempt. In its interim report the committee stated in the year of 2013 that only men will be treated as the perpetrator in case of sexual assault on women.

In this case it has been notified later that the definition of sexual assault under “section 375” needs to be treated as the basis of gender neutrality which broader the opportunity to include this. In this regard the Parliament stated that however held the orientation explicit thought of assault in light of a foreordained portrayal of the casualty culprit system based on their sexes. The Demonstration presented new offenses like oppressed behavior, stalking, sexual harassment, voyeurism, and acid assaults, which are sexually impartial with regards to the two casualties and culprits.

Bodhisattwa vs Shubhra Chakraborty and Narendra Kumar vs NCT of India: In both these cases the Supreme Court of India considered the contention of sexual assault which lies in the basic human rights which embraced the Indian constitution which signifies more emphatically towards the liberty of individuals and right to life (Dixit, 2020). However, it is a known fact that laws in sexual assault only conveys towards the women victim and thereby it is unable to defend the standing of men.

Article 7 and Article 8: according to the “article 7” it states that each individual is equal towards the law and thereby it is acknowledged that equal protection needs to be provided without causing any differentiation and discrimination.

As per the “article 8” it denotes that each person has a distinct right and authority to avail his their standings from any kind of “national tribunal” where any law is or fundamental authority and rights are violated.

In the year of 2018 the Supreme Court refused a litigation which was raised through public litigation to look for “gender neutrality” aspects in sexual harassment and rape attempts. In this regard, the apex court noted that there are several provisions which have been raised to denote the state of gender neutrality in sexual assault and crimes in India. However, there are some other provisions which are aligned with a prolific gender (Mathur, 2023). The court also noted that this issue has no specific purpose as there no particular case has been made out by the applicant for striking down a specific arrangement. The principle duty of the court to examine those provisional acts and verify whether they are effective or not.

Neutrality in Gender in terms of legal context

The laws in recent situations have been established to intend women as victims and men as the perpetrators. In recent legal context there is not any certain law to prove the woman guilty if she is found in the role of perpetrator. In recent context, “section 354A” by the “Indian Penal Code (IPC)” denotes punishment and legal aspects against sexual offenses and harassment. According to the law of “**section 354A**” this states that desire or requests for sexual demands or showcasing of pornographic against the consent and will of a lady will be treated as a punishable offense (Jain, 2023). It can be equally treated while a remark is commented which is based on sexual orientation. Another aspect can be collaborated through “section 375” which denotes the sexual attempt towards a woman is considered with a rape cause if it found without consent and prior permission. However, this law does not place the act of “marital rape” as an offense.

The enforcement and implementation of gender neutrality in sexual assaults is a critical and developing part of general sets of laws around the world. The established rules have been found to guarantee that sexual assault regulations are impartial to give equivalent security and legitimate solutions for all people, no matter what their orientation. Here is a near investigation of the implementation of impartiality in sexual assaults regulations in India and the UK.

The perspective of India

Legitimate System: India has rolled out huge official improvements to address impartiality in sexual assaults regulations (Dixit, 2020). The Criminal law Act, 2013, extended the meaning of sexual assaults and presented unbiased terms for the two casualties and culprits.

Gender neutral aspect: The wording utilized in Indian regulations has been made unbiased. For example, the expression "assault" has been supplanted with "sexual assaults," which covers a more extensive scope of non-consensual sexual demonstrations.

Growing Securities: The legitimate changes in India have extended assurances to male survivors of sexual assaults, perceiving that men can likewise be casualties of such violations. This is a significant stage towards tending to impartiality.

Challenges: While the legitimate structure in India is developing, there are as yet huge difficulties regarding authorization, detailing, and cultural mentalities. Many instances of sexual assaults, particularly against men, go unreported because of social shame.

The perspective of the United Kingdom

Legitimate System: The UK has put forth attempts to guarantee impartiality in its sexual assaults regulations (Bates, and Douglas, 2020). The Sexual Offenses Act 2003 supplanted different obsolete regulations and presented impartial wording.

Impartial Definitions: The Demonstration characterizes sexual offenses in unbiased terms, clarifying that the two guys and females can be casualties or culprits of sexual assaults.

Protection of groups: UK regulation perceives the weakness of people in view of variables other than orientation, like age or intellectual ability (Wignall, *et al.* 2022). This guarantees that individuals who might be at an uplifted gamble of sexual assaults are safeguarded.

Report and assistance: The UK offers help administrations and announcing systems that are available to people, everything being equal. This incorporates helplines and associations that explicitly center on male casualties of sexual assaults.

Challenges: The UK likewise faces difficulties as far as underreporting and tending to cultural mentalities towards sexual assaults, especially when male casualties are concerned (Spohn, 2020). Endeavors to bring issues to light and diminish shame keep on being fundamental.

Challenges and Issues in legal perspective

The enforcement of gender neutrality in sexual attempts and laws might face several challenges and issues from a legal perspective. In terms of the perspective in the Indian subcontinent there are various kinds of problems which need to be eradicated. Those are,

Social viewpoints: the behavioral attitude of India's is related with patriarchal attitude where the legal laws struggle to find gender neutrality in sexual assaults. There are several types of cultural norms which can obsolete the enforcement of gender neutrality in sexual offenses and assaults. In this societal view victims confront the issue of "blame game" and social disgrace (Tannvi, and Narayana, 2022). This issue leads to demotivation from reporting offenses.

Lack of reports: other issues can be correlated by lack of reporting and incidents of victims which basically goes towards male victims. There are several victims across India who do not intend to report due to fear, societal views and shame.

Delays in process: This is a major fact that the legal system of India is facing lack of process and backlogs in cases which included cases like sexual offenses, rape attempts etc.(Burghardt, and Steinl, 2021). The slow working procedures demotivate victimized people from seeking legal justice.

Variations on jurisdictions: The variations of jurisdictions is a key issue due to the federal structure in the Indian subcontinent. There are several union territories and states within India which have their own diverse system distributed in police and judiciary aspects (Dhonchak, 2019). These issues are obstacles towards gender neutrality in sexual offenses and assaults.

Comparing to the context of the UK, it can be prescribed that,

Digital Crimes: as a developed nation UK confronts issues of sexual assaults through digitized media where victims face such assaults through “cybercrimes”. So gender neutrality in sexual assaults through digital crimes is a key obstacle.

Assistance: the assistance and support are not adequate to address the problems of sexual assaults on the basis of gender neutrality. Cyber Crimes are a vast area in the context of sexual offenses which needs a sufficient system to help all the victims irrespective of gender, sex and ethnicity.

Prosecutions on sexual assaults: The legislation and legal system of the UK is diverse in terms of sexual offenses in “gender neutrality”. However, the rate and percentage of convictions in sexual assaults has remained low. This type of scenario demotivates victims to pursue proper action against sexual offenses.

Comparisons in international aspect

United Kingdom

In the context of the UK, it is able to identify and recognize that sexual offenses might happen to any person. The context of the UK is based on excluding discrimination on gender issues irrespective of men, women and transgender. The laws are based on gender neutrality which should be regulated by the government to prohibit the discrimination on the basis of sexual assault and offenses (Colliver, and Coyle, 2020). In the year of 2003, the constitution of the UK implemented the “**sexual offenses act**” which broadened the image of gender neutrality in sexual offenses and harassment. As per the UK legislation, such acts have been established to inform that any person can be a victim. In the year of 2012, the chief justice of the Supreme Court in the UK prescribed that a person who acted as a different gender to gain sexual consent would be liable under punishable offense (Bates, and Douglas, 2020). In recent times, the UK has implemented the process for reforming the “Gender Recognition Act” to allow transgender persons to change their sex and gender with legal constraints.

United States

In the context of the United States, there are several state laws which are able to signify and recognize sexual assaults as a crime which might happen to any person. The law of the context of the United States is based on gender neutrality. There are a number of states in the United States which acknowledged that male can be victims as well in sexual offenses and rape attempts.

Scotland

In the year of 2009, Scotland reexamined the laws in crime of sexual assaults. The legal body of Scotland noted that sexual assaults can happen to any extent which include “anus, vagina or oral”. The attempts of sexual crimes are based on consent which is anticipated from any person irrespective of sex, gender and ethnicity.

Present statistics

The context of sexual assaults and offenses in India are severe. The government of India performed a study where it was reported that the percentage of rape attempts and sexual offenses are higher in male rather than the female victims. In terms of child abuse, 57.3% were boys whereas 42.7% had been girls (Behl, 2019). The present study in sexual assaults in India has prescribed that around 18% male are forced to

sexual assaults where 16% are the female perpetrators. As per the present context around 44% lesbian and 61% women face sexual assaults. On the other side, around 26% gay male persons and around 37% of bisexual male face sexual assaults.

Areas for Improvement

In terms of gender neutrality in sexual offenses there are some similar challenges for enforcing and implementing gender-neutrality in sexual offenses and assaults. Those are related to the context of lack of reporting, societal views, where victims face serious consequences. To develop the basis of gender neutrality in sexual assaults, awareness campaigns and programs can be initiated to eradicate the fear and shame from the victimized people (Dhanchak, 2019). The raising of education and awareness programs must be formed to make people aware that sexual attempt can be reflected on any person and on the opposite, the role of perpetrator could be anyone irrespective of male, female and transgender. The services for assistance and aiding should be more diverse and need to be based more effectively to convey mass response. An adequate system can be more effective to response towards the sexual assault in gender neutrality. The personnel and jurisdiction and legal system should be provided training in order to enforce laws in sexual assaults to promote the subject of gender neutrality.

The reformation of acts and laws should be examined by expertise and researchers who have a long experience as a judge, senior advocate who practices the acts of sexual assaults irrespective of gender since several years. The experienced researcher from the context of laws and legislation are another personnel (Dixit, 2020). There should be committed blending up with these expertise people who will examine and evaluate the subject of sexual assaults to address the issues of gender neutrality. The implementation of laws, legislations and acts should be more practical and strategic to respond to the bases of gender neutrality in terms of sexual offenses and rape attempts.

CONCLUSION

The implementation of impartiality in rape regulations is a basic move toward making a fair and equal society. This examination has dug into the scene of rape regulations in India and contrasted it and the United Kingdom, featuring, lawful structures, contextual analyses, difficulties, and likely regions for development. India has gone through huge lawful changes as of late, recognizing the requirement for fairness inside its overall set of laws. The “Criminal law act of 2013” denoted a huge achievement by presenting unbiased arrangements, perceiving that sexual viciousness can influence people. The difficulties of social mentalities, underreporting, and cultural standards endure, preventing successful execution. In other respects, the United Kingdom and the United States has a more settled lawful structure that treats sexual offenses fair-mindedly, regardless of orientation. The Sexual Offenses Demonstration of 2003 fills in as a model for neutrality in tending to sexual brutality. To overcome any issues and accomplish genuine sexual impartiality, India should proceed with its endeavors to move social standards and address cultural perspectives. Education and mindfulness activity, support administrations, and exhaustive legitimate changes are vital. By gaining from global models and focusing on a future that ensures equivalent insurance and equity to all, India can prepare for a more secure and fairer society, where sexual assaults and offenses are denoted genuinely through the way of gender neutrality.

Reference List

Journals

- 1) Act, P.O.C.S.O., 2023. Protection of Children from Sexual Offences (POCSO) Act 2012.
- 2) Aina-Pelemo, A.D., Mehanathan, M.C. and Kulshrestha, P., 2020. Indian legal profession and the sexual harassment of women at workplace act. *Sexuality & Culture*, 24, pp.248-272.
- 3) Anchan, V., Janardhana, N. and Kommu, J.V.S., 2021. POCSO Act, 2012: Consensual Sex as a Matter of Tug of War Between Developmental Need and Legal Obligation for the Adolescents in India. *Indian Journal of Psychological Medicine*, 43(2), pp.158-162.
- 4) Banerjee, N., 2021. A Functional Analysis of the position of Women in Indian Context & various sexual offences against Women. *Young*, 17.
- 5) Bates, E.A. and Douglas, E.M., 2020. Services for domestic violence victims in the United Kingdom and United States: Where are we today?. *Partner Abuse*.
- 6) Behl, N., 2019. *Gendered citizenship: understanding gendered violence in democratic India*. Oxford Studies in Gender and I.
- 7) Buiatti, M.V., Gender Neutral Legal Language: A Comparative Overview. *Comparative Law and Language*, 1(2), pp.33-54.
- 8) Burghardt, B. and Steinl, L., 2021. Sexual violence and criminal justice in the 21st century. *German Law Journal*, 22(5), pp.691-702.
- 9) Chakraborty, T. and Lohawala, N., 2021. Women, Violence and Work: Threat of Sexual Violence and Women's Decision to Work.
- 10) Colliver, B. and Coyle, A., 2020. 'Risk of sexual violence against women and girls' in the construction of 'gender-neutral toilets': a discourse analysis of comments on YouTube videos. *Journal of gender-based violence*, 4(3), pp.359-376.
- 11) Deer, S., 2019. (En) gendering Indian law: Indigenous feminist legal theory in the United States. *Yale JL & Feminism*, 31, p.1.
- 12) Dhonchak, A., 2019. Standard of Consent in Rape Law in India: Towards an Affirmative Standard. *Berkeley J. Gender L. & Just.*, 34, p.29.
- 13) Dixit, P., 2020. Navtej Singh Johar v Union of India: decriminalising India's sodomy law. *The International Journal of Human Rights*, 24(8), pp.1011-1030.
- 14) Jain, I.B., 2023. Gender Based Violence. *GLS KALP—Journal of Multidisciplinary Studies*, 3(2), pp.59-65.
- 15) Jassal, N., 2020. Gender, law enforcement, and access to justice: Evidence from all-women police stations in India. *American Political Science Review*, 114(4), pp.1035-1054.
- 16) Krishna, D.K.M.Y. and Tripathi, S.K., 2022. Constitutionality of Section 375, Exception 2, the IPC & Effect of Marital Rape on Family. *DME Journal of Law*, 3(01).
- 17) Kumar, A. and Verma, R.S., 2020. Sexual harassment in academic institutions and demand to regulate male sexuality. *Sexuality & Culture*, 24(5), pp.1683-1686.
- 18) Mathur, A., 2023. Co-Location and Crime Reporting: Does a Salient Crime Impact Subsequent Crime Reporting in That Location? The "Nirbhaya" Case in Delhi. *M-RCBG Associate Working Paper Series*.
- 19) Mehta, K. and Tiwari, A., 2021. Between sexual violence and autonomy: Rethinking the engagement of the Indian women's movement with criminal law. *German Law Journal*, 22(5), pp.860-877.
- 20) Mwando, M., 2021. Investigating the extent to which gender neutrality is achieved in The implementation of the sexual offences act.
- 21) Pallathadka, H., Kumar, S. and Kumar, V., 2021. A socio-legal analysis of child sexual abuse in India. *Des Eng*, 9, pp.1768-1775.

- 22) Purwati, Y., Kuswardani, K. and Budiono, A., 2022, May. Comparison of the Rape Law in the Indonesian Penal Code and the Indian Penal Code. In *International Conference on Community Empowerment and Engagement (ICCEE 2021)* (pp. 169-175). Atlantis Press.
- 23) Renu, R. and Chopra, G., 2019. Child sexual abuse in India and the Protection of Children from Sexual Offences (POCSO) Act 2012: a research review. *Integrated Journal of Social Sciences*, 6(2), pp.49-56.
- 24) Senthil, N. and Vajiram, J., 2023. The misuse of law by Women in India-Constitutionality of Gender Bias. *arXiv preprint arXiv:2307.14651*.
- 25) Spohn, C., 2020. Sexual assault case processing: The more things change, the more they stay the same. *International journal for crime, justice and social democracy*, 9(1), pp.86-94.
- 26) Tannvi, T. and Narayana, S., 2022. The challenge of gender stereotyping in Indian courts. *Cogent Social Sciences*, 8(1), p.2116815.
- 27) Widanaralalage, B.K., Hine, B.A., Murphy, A.D. and Murji, K., 2022. "I didn't feel i was a victim": a phenomenological analysis of the experiences of male-on-male survivors of rape and sexual abuse. *Victims & Offenders*, 17(8), pp.1147-1172.
- 28) Wignall, L., Stirling, J. and Scoats, R., 2022. UK university students' perceptions and negotiations of sexual consent. *Psychology & Sexuality*, 13(3), pp.474-486.

Websites

- 1) Retrieved from: <https://legalvidhiya.com/should-sexual-offences-be-gender-neutral/#:~:text=Section%20375%20and%20Section%20376,the%20principle%20of%20gender%20neutrality.> [Retrieved on: 06.09.23]