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Why shouldn't rape victims get compensation?

HC rule asks govt, also wants to know why Tk 50 lakh shouldn't be given to families of 2 gang-rape victims



Star Online Graphics

Staff Correspondent

The High Court yesterday issued a rule asking the government to explain why a scheme for interim compensation for rape victims should not be made.

The HC rule also asked why the authority should not be instructed to formulate guidelines to ensure that women, girls and children are safe and not prone to sexual abuse in any public vehicles and places.

The rules came following a writ petition filed by the Children's Charity Bangladesh Foundation.

In the petition, the child rights organisation said punishment of those guilty was not the only step in providing justice to rape victims who suffer irreparable loss -- both psychological and physical. In many cases, rape leads to death or life-long disabilities.

It also sought Tk 50 lakh compensation for the families of two gang-rape victims.

Barrister Md Abdul Halim, who filed the petition on behalf of the rights organisation, said an alarming number of rape victims were children. "They face social stigma in every phase of their lives as they grow up..."

Explaining interim compensation, he said the victims should be compensated during the trial period.

The government should ensure that victims get social and financial support to help them overcome trauma and all other barriers, he added.

There are systemic or other failures for crimes remaining unpunished, the petitioner said, adding that when the state fails to identify the accused or collect and present acceptable evidence against the criminals, the duty to compensate remains.

Referring to what the Indian Supreme Court said in several cases, the petitioner said the state's responsibility does not end merely by registering a case, conducting investigation and initiating prosecution.

"The responsibility for rehabilitation of the victim remains and hence, the right to compensation remains for the victim."

The HC also issued a rule asking the government to explain in four weeks why it should not be directed to give Tk 50 lakh each to the families of Shahinoor Akhter Tania and Sumaiya Akhter, who had been gang-raped in Kishoreganj and Rajshahi.

Shahinoor Akhter Tania, who worked at Ibne Sina Hospital's Kalyanpur branch in the capital, was raped and murdered in a passenger bus on her way home in Kishoreganj's Katiadi upazila.

Sumaiya Akhter, 14, of Mohanpur upazila in Rajshahi, died by suicide after she was gang-raped on April 17, according to the writ petition.

The respondents to the rule were secretaries to the ministries of home, children and women, health and family planning, road transport and bridges, the Bangladesh Road Transport Authority, chairman and director of National Legal Aid Services Organization, inspector general of police, superintendents of police of Kishoreganj and Rajshahi, officers-in-charge of Bajitpur Police Station in Kishoreganj and Mohanpur Police Station in Rajshahi.

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