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# Roadblocks to ending the two-finger test during medico-legal evidence collection in rape case: Learnings from Bangladesh

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# What is two-finger test (TFT)?



- Insertion of one or more fingers into the vagina of a rape survivor for collecting evidence on rape.



# What is TFT used for and how are the results interpreted?

## TFT is used to examine whether:

- Two-fingers pass through vagina
- Two-fingers pass easily through vagina
- There is injury in the vagina



## Common interpretations:

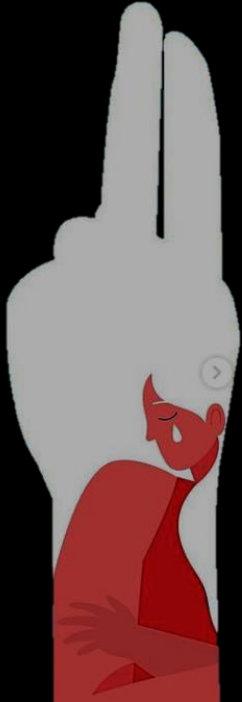
- Did not pass → Not raped
- Habituated to having sex → rape cannot be established
- No injury → No rape



# Is Two-finger test scientific?

TFT is used to measure:

- **Laxity of the vagina:** Not a useful clinical tool to assess sexual assault (Olson & Moreno 2017, Lloyd et al., 2005, Poland et al., 2021)
- **Injury:** Does not prove or refute occurrence of sexual assault (Naumann et al 2023, Heger et al., 2002, Adams et al., 1994)



TFT has no medical utility in proving rape (WHO, 2018)





# Two-finger test (TFT): Prevalence

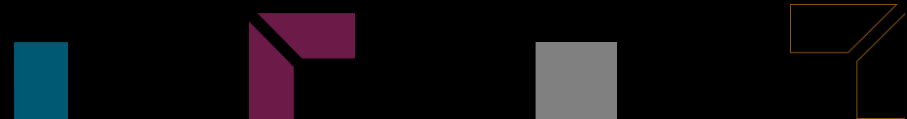


Documented in

27

countries

- Northern Ireland
- the Netherlands
- United Kingdom
- Sweden
- Libya
- Pakistan
- Swaziland
- Jamaica
- Zimbabwe
- Egypt
- India
- Iran
- Occupied Palestinian Territories
- Afghanistan
- Turkey
- Morocco
- Jordan
- Belgium
- Brazil
- Iraq
- Spain
- Malawi
- Indonesia
- Canada
- Bangladesh
- Sri Lanka
- South Africa



# Consequences of Two-finger test

## Health

- Anxiety



- Depression



- PTSD

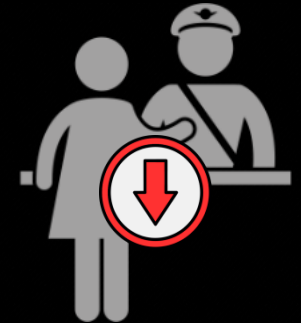


- Suicide

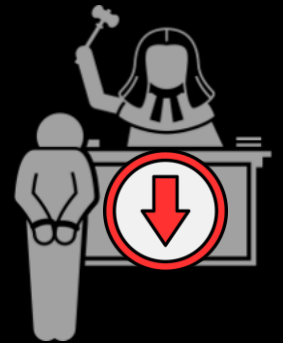


## Legal

- Low reporting rate



- Low conviction rate



Thus, two-finger test in rape examination is:



Unscientific

Irrelevant

Unethical

Harmful

A direct threat to achieving SDG Goal 5



# Ban of two-finger test



- WHO called for TFT ban
- TFT was banned in at least **12** countries
- Bangladesh banned TFT in 2018

Indonesia  
Australia  
Pakistan  
India Philippines  
United Kingdom  
Nepal Bangladesh  
Sri Lanka Canada  
South Africa  
Malaysia



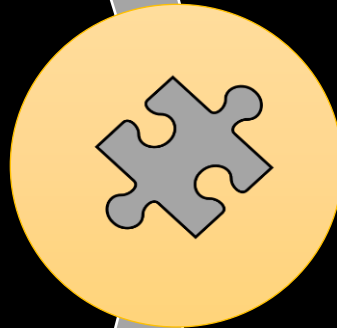


# Study objectives

Assess the implementation of TFT ban



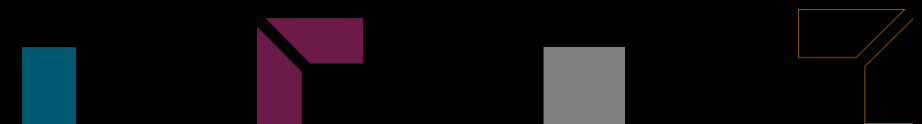
Explore the knowledge, attitude and practice (KAP) of stakeholders






Explore challenges in ban implementation



Provide evidence-based recommendations for improved implementation in similar contexts



# Methods

Design		Site	Facilities	Population	Study Tools
Qualitative study	Received training	Dhaka	 4 Medical College Hospital (Tertiary)	<b>Sample size: 42</b>  <b>Health sector staff:</b> -Rape examiners & support staff -Other Forensic Dept. staff -MoHFW  <b>Legal sector:</b> -Lawyers -Police Officers <b>NGO sector:</b> NGO staff	KIIIs:  Health (n=25)
		Rangpur	 1 District Hospital (Secondary)		
	No training	Dinajpur	 3 Sub-district Health Complex		Legal (n=7)  NGO (n=3)
				NGO staff	FGDs (n=2)
				Rape survivors and/or their families	IDIs (n=5)




Data collected between: Oct 2023 and Jan 2024


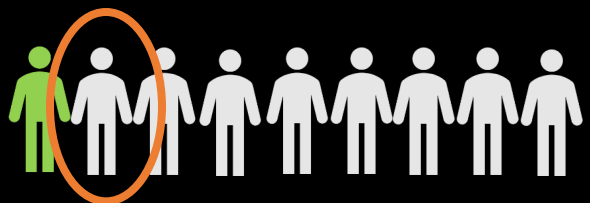
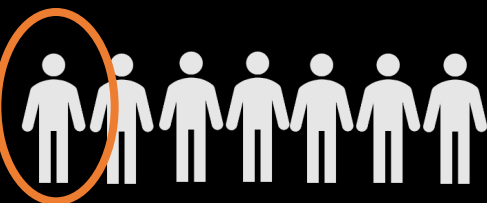

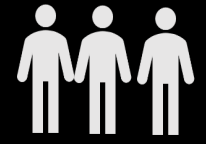
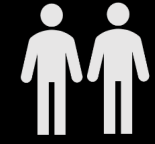





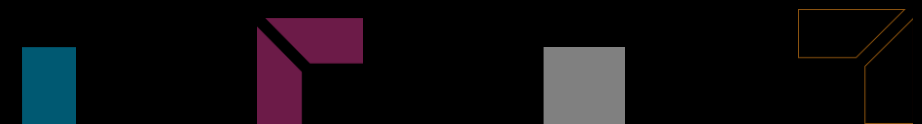
# Findings



# Knowledge of stakeholders about the ban


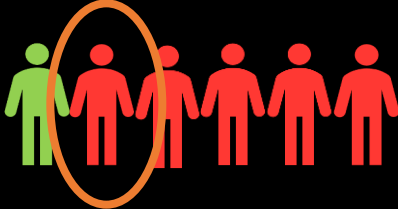







 = Had knowledge  
  = No knowledge  
  = Trained

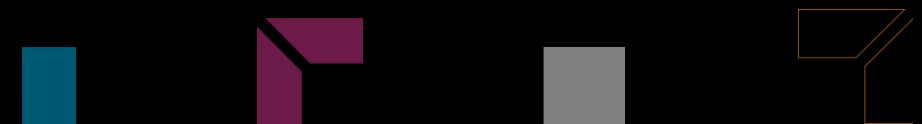
Stakeholder	Dhaka	Rangpur	Dinajpur	No. (total)
Health				8 (24)
Legal				2 (7)
NGO				2 (3)
No. (total):	10 (11)	1 (13)	1 (10)	12 (34)



# Attitudes of stakeholders regarding two-finger test



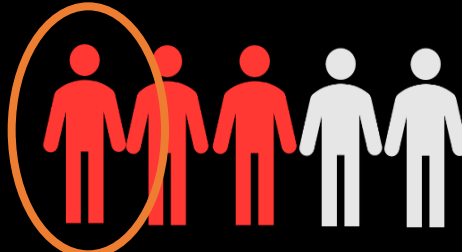



 = Did not endorse TFT 
  = Endorsed TFT 
  = Trained

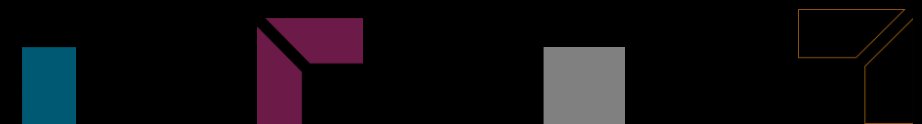
Stakeholder	Dhaka	Rangpur	Dinajpur	No. (total)
Health				11 (17)
Legal				5 (7)
NGO				0 (3)
No. (total):	2 (10)	8 (10)	6 (7)	16 (27)



# Use of two-finger test by rape examiners and lawyers

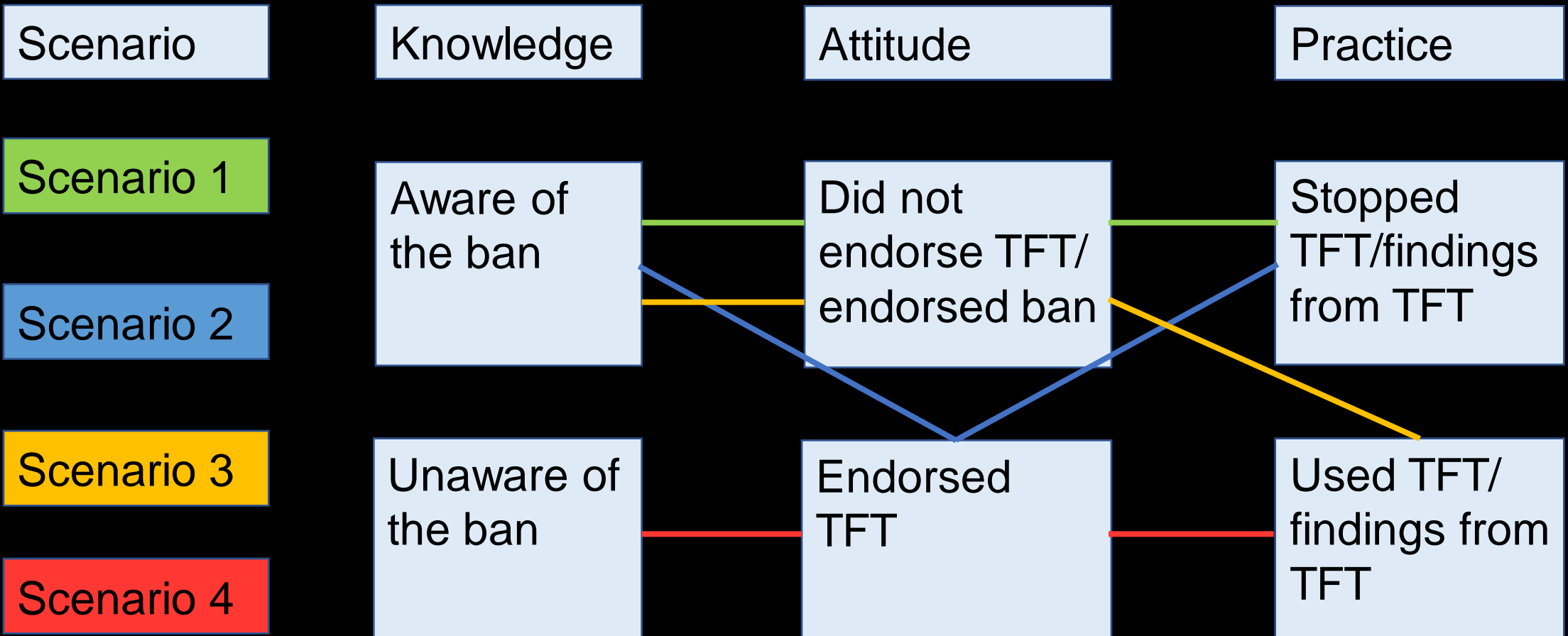
 = Did not perform TFT, 
  = Performed TFT, 
  = Did not conduct rape examination, 
  = Trained

Stakeholder	Dhaka	Rangpur	Dinajpur	No. (total)
Health				5/12
Legal				3/4



# Emerging ban implementation scenarios

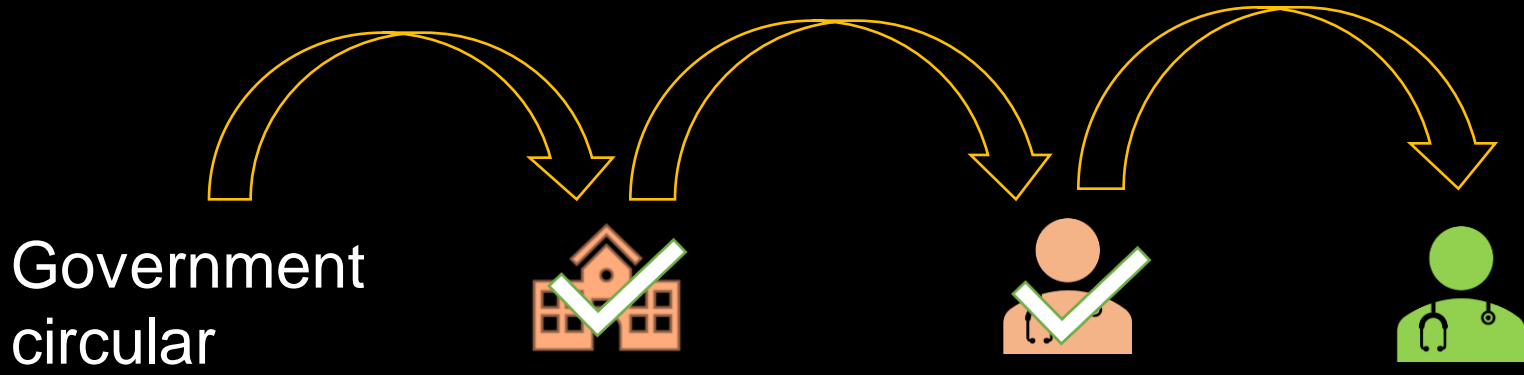
- Scenario 1
- Scenario 2
- Scenario 3
- Scenario 4





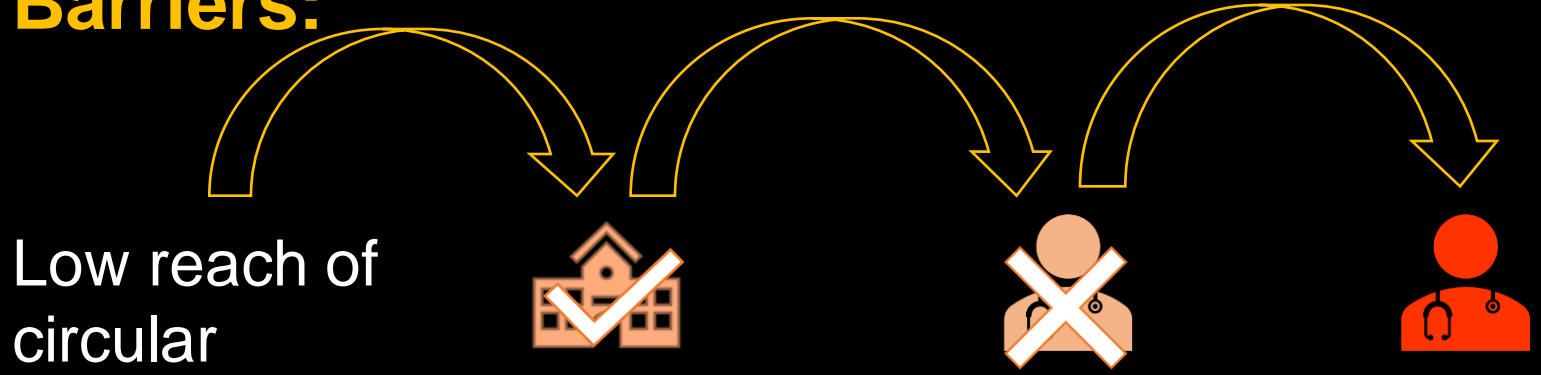
# Facilitators of and barriers in effective implementation

## Facilitators:



*“After knowing about the ban [from circular] we have totally stopped using the test.”*  
-KII 33, Rape examiner, Dhaka

## Barriers:



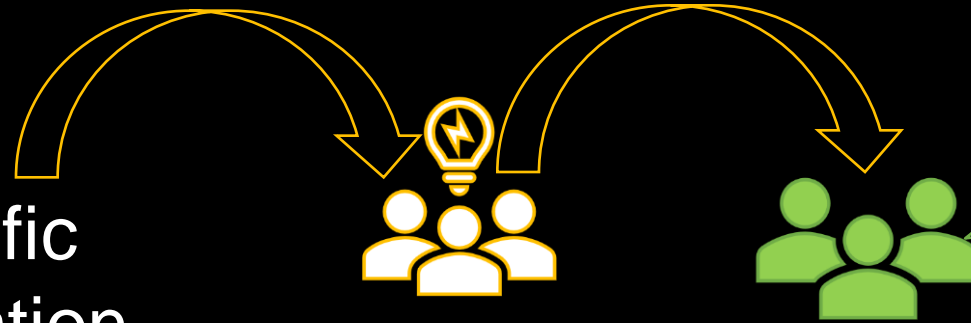
*“TFT was not banned. We didn't receive any circular.”*  
-KII 10, Rape examiner, Dinajpur



# Facilitators of and barriers in effective implementation

## Facilitators:

TFT is unscientific  
in rape examination



*"TFT is unscientific. We emphasize on use of scientifically valid methods."*  
-KII 30, Lawyer, Dhaka

## Barriers:

Conviction that TFT  
is useful in rape  
examination



*"One cannot prove rape without TFT."*  
-KII 10, Rape examiner, Dinajpur

# Challenges in training

- Low coverage
- Mistargeting
- Inability to establish irrelevance of TFT

*“The training took place four or five years back. So, I don’t remember anything clearly.”*

-KII 5, Rape examiner,  
Dinajpur

*“Married women’s vaginal canal is capacious. In such cases there are no restrictions [ban] on using TFT.”*

-KII 21, Rape examiner, Rangpur

## Challenges in practice

- Use of old medico-legal form requiring TFT results
- Demand by the court

*“TFT is necessary. It is required for filling out the form [medico-legal certificate].”*

*-KII 10, Rape examiner,  
Dinajpur*

*“Court wants to verify whether the vaginal canal is one or two-finger wide.*

*-KII, 23, Lawyer, Rangpur*

# Recommendations for similar contexts



Disseminate information on the ban effectively



Increase govt. and NGO monitoring



Train relevant stakeholders and address TFT condoning attitudes



Conduct social media campaigns



Expedite distribution of revised medico-legal form



Develop capacity of NGO staff in supporting survivors



Introduce simple checklist for Rape Examination



Increase intersectoral stakeholder coordination



# Discussion

- TFT ban implementation is poor in the study sites, particularly outside capital
- Lack of awareness and misconceptions about the ban prevails
- TFT remains prevalent despite ban
- It is critical to address deep-rooted belief in TFT's worth in proving rape





**Thank you**

