

# THE USE OF THE TWO- FINGER TEST IN PAKISTAN



University College Lahore  
School of Law

**Copyright © 2019 Centre for Human Rights, University College Lahore**

This publication is available as a pdf on the website of the Centre for Human Rights under a Creative Commons license that allows distributing and copying this publication, as long as it is attributed to the Centre for Human Rights at University College Lahore and used for non-commercial, educational or public policy purposes. Any graphs or images contained here may not be used separately from the publication.

Published by

Centre for Human Rights

University College Lahore

1.5 km from Thokar Niaz Baig,

Raiwind Road, Lahore,

Pakistan

[www.cfhr.ucl.edu.pk](http://www.cfhr.ucl.edu.pk)

For more information, please contact:

Umar Mahmood Khan

Executive Director, Centre for Human Rights

umar.khan@ucl.edu.pk

## Acknowledgements

The Centre for Human Rights at University College Lahore would like to thank all institutions and individuals who helped make this publication possible. In particular, the Centre would like to acknowledge Arizona State University, Sandra Day O'Connor College of Law and the Bureau of International Narcotics and Law Enforcement Affairs for funding this initiative.

The Centre for Human Rights would also like to thank Musawi Private limited, one of our local partners, for assisting in conceptualization and development of the two-finger test brief. This publication would not have been possible without their continuous guidance and expert insights on violence against women and girls.

A special thanks is extended towards the administration of University College Lahore for providing support; Dr. Sayyed Asad Hussain and Ms. Sarah Tarar provided constant guidance and support, which was instrumental in the materialization of this publication.

This policy paper was written by Zain Siddiqui with editorial support from Saman Ahmad Rizvi and research support from the Human Rights Clinic students: Ahmed Raza Kazim, Mah Noor, Muhammad Aqib Bashir, Saadia Farooq and Shehnoor Qaiser.

## Contents

Introduction .....	1
Medico-legal basis of the Two Finger Test .....	1
<i>Origin</i> .....	1
<i>Medical basis</i> .....	2
<i>Legal relevance of the Test</i> .....	3
<i>Violation of fundamental human rights</i> .....	4
Comparative Analysis .....	5
<i>India</i> .....	6
<i>Bangladesh</i> .....	6
Recommendations .....	7
References: .....	8
<i>Primary Sources:</i> .....	8
<i>Secondary Sources:</i> .....	9

# The Use of the Two Finger Test in Pakistan

## Introduction

The Two Finger Test (TFT), also known as the Virginitiy Test, is used in cases of rape or sexual assault to ascertain whether a survivor is a virgin and/or is habituated to sexual intercourse. It entails the Medico-Legal Officer inserting two fingers into the victim's vagina to determine its laxity and whether the hymen is broken.<sup>1</sup> Despite the archaic nature of the practice, it is still practiced in Pakistan. The test is not necessitated by any legal provision but simply a medical practice that has been integrated into legal jurisprudence as a determinative criterion of a victim's character, and hence, her consent<sup>2</sup> which plays a central role in establishing the offence of rape<sup>3</sup>. However, not only is the evidentiary value of this test disputed,<sup>4</sup> but it also violates the fundamental rights of the survivor. This has led to the test being banned in quite a few countries where it was previously used including India, Bangladesh and Afghanistan.

This Policy Brief will thus focus on highlighting whether there is a Medico-Legal basis for this test, with an assessment of its inconsistency with Constitutional provisions vis-à-vis the fundamental human rights. The brief will then present a comparative analysis of countries that have outlawed the test in previous years. This shall be followed by a set of recommendations proposing a ban on the Two Finger Test in Pakistan and how that can be effectively implemented.

## Medico-legal basis of the Two Finger Test

- *Origin*

Although the exact origin of the test is unknown, the Human Rights Watch dates its usage back to the 18<sup>th</sup> Century, where it was used in a number of rape cases.<sup>5</sup> The test has been referred to as a colonial relic, used in French and British jurisdictions to classify women as 'true virgins' or 'false virgins' in rape cases.<sup>6</sup> The French medical jurist L. Thoinot maintained at the time that the state of the hymen is not conclusive of virginity, and hence, deemed the TFT as the best alternative.<sup>7</sup> It is this practice that has been carried forward into the 21<sup>st</sup> Century and continues to be part of the medico-legal system.

---

<sup>1</sup> Independent Forensic Expert Group. Statement on virginity testing, J Forensic Leg Med. 2015;33:121-4.

<sup>2</sup> See Discussion Below.

<sup>3</sup> Pakistan Penal Code, Section 375.

<sup>4</sup> Guidelines and Protocols Medico-Legal Care for Survivors/Victims of Sexual Violence, Ministry of Health and Family Welfare, India, No.Z.28015/21/2013-H, (2014).

<sup>5</sup> Dignity on Trial, Human Rights Watch, ISBN: 1-56432-681-0, (September 2010), page 25-26.

<sup>6</sup> Ban The Two-Finger Test In Rape Trials, Pratiksha Baxi, 2 January 2013.

<sup>7</sup> Medicolegal Aspects of Moral Offenses, L. Thoinot, Published by F.A. Davis, Philadelphia, (1911).

- *Medical basis*

Although the current medico-legal Standard Operating Procedures (SOPs) followed in Punjab<sup>8</sup> and Best Practices in Medico-Legal Care for Survivors of Sexual Assault in Sindh<sup>9</sup> neither require that the test be conducted in cases of rape nor comment on its scientific validity, yet its use by medico-legal officers (MLOs) has been widely reported. This can be attributed to the outdated medical curriculum and the lack of training that MLOs undergo in order to familiarize themselves with modern medico-legal practices.<sup>10</sup> This is exacerbated by the fact that the minimum requirement for a Medico-Legal Officer (MLO) is a mere MBBS, and hence, the “training and learning, even about forensic sciences, is something they have to undertake on their own, if at all”.<sup>11</sup>

The practice of TFT is also reinforced through textbooks which form part of the medical curriculum and are used as a point of reference for legal practitioners.<sup>12</sup> It was only in the 2010 edition of one of the most authoritative texts on the matter by Jaising Modi,<sup>13</sup> started recognizing TFT as a non-conclusive test for virginity. Although the test is being slowly phased out of medical

---

<sup>8</sup> Standard Operating procedures for Medicolegal Examination of Women Victims of Sexual Assault, Health Department, Government of Punjab (2011);

<sup>9</sup> Best Practices in Medico-Legal Care for Survivors of Sexual Assault, War Against Rape (WAR), Karachi (2011).

<sup>10</sup> Access to Justice for Survivors of Sexual Assault, Sohail Akbar Warraich, National Commission On Status Of Women (NCSW), Gender Equity Program (GEP) And Aurat Foundation (AF), 12-14-2015

<sup>11</sup> Ibid, Section 9.12.3: Training of MLOs

<sup>12</sup> Jaising Modi, *Modi’s Medical Jurisprudence and Toxicology* (22nd edn., New Delhi: Butterworths India, 2001), pp. 478, 503: Even where the hymen is intact but the “hymenal orifice lets one, two or more fingers pass through easily.... a body of the size of a penis in erection could perfectly well pass through the hymenal orifice without rupturing it once or several times.... In cases where the hymen is intact and not lacerated, it is absolutely necessary to note the distensibility of the vaginal orifice in the number of fingers passing into vagina without any difficulty.”; Parikh C. K., *Textbook of Medical Jurisprudence, Forensic Medicine and Toxicology* (6th edn., New Delhi: CBS Publishers and Distributor, 2005), pp. 5.11, 5.37: “If (a) a woman has an intact hymen (b) its edges are distinct and regular, and (c) the hymenal opening when stretched barely admits the tip of the little finger, the findings are in favor of true virginity. On the other hand, if the hymen is intact but its edges are undulated and the hymenal opening admits two fingers to pass through easily, it is difficult to say on the basis of the intactness alone whether the woman is a true virgin or a false virgin.” Parikh recommends that during physical examinations of rape victims “the distensibility of the vagina should be noted in relation to the number of fingers it can admit without causing discomfort. If it can admit two fingers easily, sexual intercourse has probably occurred.”;

K.S. Narayan Reddy, *The Essentials of Forensic Medicine and Toxicology* (26th edn., Hyderabad: K. Suguna Devi, 2007), pp. 436, 438: “Digital examination [of the vagina] may show ... some laxity of the vaginal orifice (indicating previous penetration) ... the size of the vagina should be noted as admitting one, two or three fingers as the case may be.... In all cases where there are no fresh injuries a vaginal examination should be carried out to assess the laxity of the vaginal orifice, [...] the number of fingers that can be introduced though the hymenal orifice, [...] In most young women a finger can be passed into the vagina although the hymen is intact.”

<sup>13</sup> Ibid; The book is the text used in Sindh to guide medico-legal practice as highlighted by ‘The Criminal Justice System & Rape’, An Attitudinal Study Of The Public Sector’s Response To Rapein Karachi, Ayesha Khan and Sarah Zaman, War Against Rape (WAR).

jurisprudence, its impact on practice is negligible considering that most MLOs cite their senior's teachings and practices as a basis for their own continued use of the TFT.<sup>14</sup>

- *Legal relevance of the Test*

In legal jurisprudence, a medico-legal examination/certificate provides “corroboration or support to substitutive or circumstantial evidence” and is used as expert opinion in judicial cases.<sup>15</sup> It is therefore an important piece of evidence that is required in cases of rape, attempted rape or sexual abuse.<sup>16</sup> However, the judiciary has gone beyond its face value and heavily relied on the TFT specially to determine the presence of consent of the victim/survivor, taking into consideration their past sexual history in order to judge the victim's ‘character’ – an evaluation that is subjective and arbitrary in nature and is based on the presumption that sexually active women cannot be raped.<sup>17</sup>

However, Section 151 (4) of the Qanun-e-Shahadat Order, 1984, has been indirectly used as a justification for the use of TFT to judge the women's character – the section unequivocally allows for it to be contested whether a female victim is of ‘immoral character’.<sup>18</sup> Although this provision was repealed by the Criminal Law (Amendment Offences Relating to Rape) Act, 2016, calls for the explicit ban of the TFT in Pakistan<sup>19</sup> never materialized into legislation, leaving the medico-legal practice seemingly unchanged. Moreover, the 2011 revised version of Medico-Legal Certificate for Women Victims of Sexual Assault still requires the survivor's ‘History’ (Part i(d) of which states “Previous such incidence”). Despite the history having no medico-legal bearing on the case, and the information being confidential, it is a necessary part of the MLC, which courts rely on in ascertaining the ‘morality’ of the victim.<sup>20</sup>

Such factors have been given high evidentiary value in acquitting the accused or granting them bail. This is evidenced by the case of Ghulam Mohay Ud Din alias Baoo v The State,<sup>21</sup> where, since the “vagina admitted two fingers”, and the victim admitted that “she was not habitual but was subjected to sexual intercourse on many times”, the court held that “it is obvious that she is

---

<sup>14</sup> Supra Note 12.

<sup>15</sup> Abdur Rehman v. The State, SCMR 1778 (1998).

<sup>16</sup> Code of Criminal Procedure 1898, Section 164A states that in cases of rape, attempt to commit rape or sexual abuse, the “the victim shall be examined by a registered medical practitioner, in the case of female victim by a female registered medical practitioner, immediately after the commission of such offence”, subject to the consent of the victim.

<sup>17</sup> As can be seen in Muhammad Yaqoob v State 2008 YLR 2357 [Sindh] where the survivor despite being a 50-year-old married woman, the defence still pointed out that her hymen was ‘old torn’ as the MLE deemed her not to be ‘virgo intacta.’

<sup>18</sup> “Impeaching the Credit of Witness: When a man is prosecuted for rape or an attempt to ravish, it may be shown that the prosecutrix was of generally immoral character.”

<sup>19</sup> What you need to know about Pakistan's new Anti-Rape Bill, Abira Ashfaq, Dawn News, 5 March 2015.

<sup>20</sup> Supra Note 12, Section 9.2.5: Women of ‘easy virtue’.

<sup>21</sup> PCrLJ 1903 (2012).

person of dubious character.”<sup>22</sup> Similarly, there are numerous other cases where the courts have recognized the validity of the test,<sup>23</sup> and have used it to pass judgments on the character of the victim, e.g. being of ‘easy virtue’, due to which the sole statement of the victim could not be relied upon in absence of ‘strong’ corroboration.<sup>24</sup>

Therefore despite the highly controversial nature of the test, several judgments indicate that the opinion on the two-finger test and hymen determines whether the presumption of rape should be in favor of the victim or the accused.

- *Violation of fundamental human rights*

Aside from the TFT’s troublesome extrapolation in legal jurisprudence, it is also highly criticized for violating the fundamental human rights enshrined within the Constitution of Pakistan, especially that of Dignity and Privacy of a person.

The former is dealt under Article 14 of the Constitution which stipulates that “*The dignity of man and, subject to law, the privacy of home, shall be inviolable*”. This has been interpreted by courts to include “*that valued and serene condition in a person's social and individual life which was violated when he was, publicly or privately, subjected by another to offensive and degrading treatment, or when he was exposed to ill-will ridicule disesteem or contempt.*”<sup>25</sup> The protection of this expansive right has been deemed to be the obligation of the State,<sup>26</sup> the violation of which, “*should not be allowed to go with impunity*”<sup>27</sup>.

In the context of TFT, the World Health Organization (WHO) has unequivocally held that the test has no scientific validity and called for the ban on its use.<sup>28</sup> Moreover, the test has not only been deemed to be ‘invasive’ and ‘degrading’, but a “*form of gender-based violence and discrimination*”. WHO also maintains that a “*woman’s sexual history has absolutely no bearing on... determining whether she was raped.*”<sup>29</sup> Therefore not only is the nature of the test and the manner in which it is conducted a grave violation of a woman’s dignity, but the context in which

---

<sup>22</sup> Ibid, Para. 7.

<sup>23</sup> Azhar v. State, PCrLJ 1716 (2013); Azam Ali Shahid v. State, PCrLJN (2017); Rafiq Ahmad v. State, PCrLJ 1321 (2012); Noor Samad v. State, MLD 730 (2011); Muhammad Ramzan v. The State, PCrLJ 1371 (1986); Tariq Masih v State, PCrLJ 325 (1983).

<sup>24</sup> Naveed Masih v. State, YLR 1062 (2008); Fahad Aziz v. The State, YLR 2846 (2008); Tahir and another v. State, YLR 2838 (2008); Muhammad Akram v State, YLR 1839 (2012); Muhammad Shahid v. State, MLD 1485 (2005); Javed Akhtar Alias Ashiq Hussain v. State, MLD 4464 (1989); Mustafa Alias Baggi v. The State, PCrLJ 779 (1988); Munir v. State, PCrLJ 719 (1976).

<sup>25</sup> Liaqat Ali Chughtai v. Federation Of Pakistan through Secretary Railways and 6 others, PLD 413 (2013).

<sup>26</sup> Bashir Ahmad and another v. Maqsood Ahmad and another, PCrLJ FSC 1824 (2010); Commissioners of Income Tax v. Eli Lilly Pakistan, PLD 997 (2011).

<sup>27</sup> Dr. Kumail Abbas Rizvi v. University of Punjab and Others, PLC(CS) 569 (2017).

<sup>28</sup> Health care for women subjected to intimate partner violence or sexual violence, World Health Organization, WHO/RHR/14.26 (November 2014).

<sup>29</sup> UN: WHO Condemns ‘Virginity Tests’, Human Rights Watch (1 December 2014).

it is used in legal precedents tarnishes the victim's respect, honour and reputation in the community – all of which are constituent elements of the inviolability of one's dignity<sup>30</sup>. This dissemination of confidential knowledge is also an infringement of one's Right to Privacy,<sup>31</sup> which is encapsulated within Article 14 of the Constitution as well as Article 12<sup>32</sup> of the United Nations Declaration of Human Rights<sup>33</sup>.

Similarly, the TFT has been held to have serious ramifications on both, one's mental as well as physical health<sup>34</sup>. It is a traumatic experience for the survivor, who faces long lasting psychological harm, especially due to the stigmatization associated with the matter, leading to intense anxiety, depression and loss of self-esteem<sup>35</sup>, therefore, greatly affecting one's quality of life, as is encapsulated within Article 9 of the Constitution.

All in all, considering the nature of the test as well as the social, cultural and psychological consequences, the persistent use of TFT is in direct contravention to the Constitution of Pakistan vis-à-vis the Right to Life, Right to Privacy and the Inviolability of Dignity of Man.

### Comparative Analysis

In light of the heavy criticism for the TFT from the world over, majority of the countries that previously used it have banned the test in line with International Standards, especially those of the WHO,<sup>36</sup> but some still continue to use it – Pakistan being one of them. Therefore, before policy recommendations could be made, it is necessary to highlight ways in which countries with similar socio-cultural and legal dynamics have banned the use of the test, i.e. India and Bangladesh.<sup>37</sup>

---

<sup>30</sup> Supra Note 26.

<sup>31</sup> Justice Saleem Akhtar in *Benazir Bhutto v President of Pakistan*, PLD DC 388 (1998): "The inviolability of privacy is directly linked with the dignity of man. If a man is to preserve his dignity, if he is to live with honour and reputation, his privacy whether in home or outside the home, has to be saved from invasion and protected from intrusion."

<sup>32</sup> "No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, or to attacks upon his honour and reputation".

<sup>33</sup> The Two Finger Test: Legal and Ethical Issue, G. Kalyani, IJSRST, Volume 2, Issue 2, Online ISSN: 2395-602X (2016).

<sup>34</sup> Virginitiy Testing: A Systematic Review, R. Olson, C. García-Moreno, *Reprod Health*, 14(1):61, doi:10.1186/s12978-017-0319-0, (May 2017).

<sup>35</sup> Eliminating virginitiy testing: an interagency statement. Geneva: World Health Organization, Licence: CC BY-NC-SA 3.0 IGO (2018), pp. 10-11; 'Imposition of virginitiy testing: a life-saver or a license to kill?' N. Shalhoub-Kevorkian, *Soc Sci -Med.*, 60(6), doi:10.1016/j.socscimed.2004.07.015, (2005), pp. 1187–96; 'Virginitiy testing beyond a medical examination', M. Robotjazi, M. Simbar, F. Nahidi, J. Gharehdaghi, M. Emamhadi, AA. Vedadhir et al. *Glob J Health Sci.*, 8(7), doi:10.5539/gjhs.v8n7p152 (2015), pp. 152–64;

<sup>36</sup> Can two fingers tell the truth? Dorine Llanta, *IntLawGrrls*, 18 February 2019.

<sup>37</sup> Pakistan shares a common background with both of these countries in light of their colonial heritage. All three countries were constituted as a single state pre-1947 in the then 'Sub-Continent'.

- *India*

The reliance on TFT in judicial precedents in India is seen to be quite similar to that of Pakistan. The country's courts have consistently concluded on the basis of TFT that victims are 'habitual to sexual intercourse' and hence, have given decisions in favour of the accused.<sup>38</sup> The courts have also found this to be sufficient to find consent on behalf of the victims.<sup>39</sup> These decisions have also led to high levels of psychological trauma and social dilemmas in survivors such as ostracization from the community due loss of dignity and respect.<sup>40</sup>

However, following the huge outcry after the Delhi Gang Rape case, a panel led by the Chief Justice of India was commissioned to review the law on sexual assault crimes. The Committee made various recommendations including the discontinuation of the TFT due to the infringement of the right to privacy of the survivor, and forbade observations such as 'habitual to sexual intercourse' on the basis of this test.<sup>41</sup> Subsequently, on 9<sup>th</sup> April 2013, a division bench of the Supreme Court of India reaffirmed this finding by unequivocally holding that the TFT and its interpretation violate the rights of rape survivors to privacy, physical and mental integrity, and dignity. Thus, even if the report of the test is in the affirmative, it cannot raise the presumption of consent given to the accused.<sup>42</sup> Although this decision is yet to be implemented in all states of India effectively, the Ministry of Health and Family Welfare has drafted comprehensive protocols on the matter.

- *Bangladesh*

On the other hand Bangladesh banned the use of the TFT on 12 April 2018 via decision of the High Court of Bangladesh.<sup>43</sup> The decision cited the unconstitutionality of the practice and in specific, the infringement of the Right to Quality, Right to be treated in accordance with the law and Protection from cruel, inhuman and degrading treatments. This has effectively led to the formation of a Committee, tasked with drafting a comprehensive set guideline for police, physicians and judges, and an order from the government to the lower courts and hospitals to comply with the judgment. Although the full implications of this decision are yet to be seen, it is a major and unequivocal step to ban the TFT.

---

<sup>38</sup> *Qurban Mian Md.Qurban v. The State of Bihar, East Cr. Cases (Pat) (1958); Tafiz Ali v. State of Assam, GLT 481 (2007); Sanoj Kumar v. State of Bihar, Patna High Court, Cr. Appeal 164 (2007).*

<sup>39</sup> *Mirthagai Ali v. The State, Madras High Court (20 July 2008); Ravi v. State of T.N, CrI.A No. 148 (1998).*

<sup>40</sup> *Supra Note 5, pp. 41-44.*

<sup>41</sup> *Report of the Committee on Amendments to Criminal Law, Justice J.S. Verma, Justice Leila Seth, Gopal Subramaniam (23 January 2013), pp. 275-278*

<sup>42</sup> *Lillu @ Rajesh & Anr v. State Of Haryana, Criminal Appeal No. 1226 OF 2011 (2013), para. 13.*

<sup>43</sup> *Writ Petition No. 10663 of 2013*

## Recommendations

In light of the above discussion on the unconstitutionality of the TFT, its grave implications on the mental and physical health as well as the lack of scientific reliability, in line with International Recommendations on the matter, it is necessary for the test to be banned in Pakistan. In this regard, the following steps should be taken at the very least to curb the practice:

- Comprehensive guidelines should be drafted/updated for Medico-legal Officers who should be certified through standardized training courses. It shall also be ensured that Judiciary also unequivocally bans the use of TFT and that its judgments are in line with the WHO guidelines.
- Medico-legal Officers should be trained and advised to adopt alternative forensic practices in rape and sexual assault cases, such as DNA testing etc.
- The ML Certificate should delete the question asking for the sexual history of the survivor.
- Trial and Appellate Courts must not accept any medical opinion about whether the victim is habituated to sex or not.
- There must be proper counseling of the survivors that have undergone the test, and attempts should be made for improving their health and mental status.
- Sensitization campaigns should be conducted by the government, especially in rural settings, to deal with the socio-cultural stigmatization of 'false virgins'.
- The medical curriculum should be updated to factor in the new scientific developments on the matter, and prohibit the use of the TFT. Similarly, course material and teaching approach on forensic medicine and science should be remodeled in order to train the graduates for performing forensic duties.
- An oversight Committee should be formed to ensure that all relevant government departments and bodies are complying with the SOPs developed.
- SOPs and updated MLCs should be made readily available in all government health care facilities.

## References:

- *Primary Sources:*

Abdur Rehman v. The State, SCMR 1778 (1998).

Azhar v. State, PCrLJ 1716 (2013)

Azam Ali Shahid v. State, PCrLJN (2017)

Bashir Ahmad and another v. Maqsood Ahmad and another, PCrLJ FSC 1824 (2010)

Commissioners of Income Tax v. Eli Lilly Pakistan, PLD 997 (2011).

Dr. Kumail Abbas Rizvi v. University of Punjab and Others, PLC(CS) 569 (2017).

Fahad Aziz v. The State, YLR 2846 (2008)

Javed Akhtar Alias Ashiq Hussain v. State, MLD 4464 (1989)

Justice Saleem Akhtar in Benazir Bhutto v President of Pakistan, PLD DC 388 (1998)

Liaqat Ali Chughtai v. Federation Of Pakistan through Secretary Railways and 6 others, PLD 413 (2013).

Lillu @ Rajesh & Anr v. State Of Haryana, Criminal Appeal No. 1226 OF 2011 (2013), para. 13.  
Writ Petition No. 10663 of 2013

Mirthagai Ali v. The State, Madras High Court (20 July 2008)

Muhammad Akram v State, YLR 1839 (2012)

Muhammad Shahid v. State, MLD 1485 (2005)

Munir v. State, PCRLJ 719 (1976).

Mustafa Alias Baggi v. The State, PCRLJ 779 (1988)

Muhammad Ramzan v. The State, PCRLJ 1371 (1986)

Muhammad Yaqoob v State 2008 YLR 2357 [Sindh]

Naveed Masih v. State, YLR 1062 (2008)

Noor Samad v. State, MLD 730 (2011)

Qurban Mian Md.Qurban v. The State of Bihar, East Cr. Cases (Pat) (1958)

Rafiq Ahmad v. State, PCrLJ 1321 (2012)

Ravi v. State of T.N, CrI.A No. 148 (1998)

Sanoj Kumar v. State of Bihar, Patna High Court, Cr. Appeal 164 (2007).

Tafiz Ali v. State of Assam, GLT 481 (2007)

Tahir and another v. State, YLR 2838 (2008)

Tariq Masih v State, PCRLJ 325 (1983).

- *Secondary Sources:*

Access to Justice for Survivors of Sexual Assault, Sohail Akbar Warraich, National Commission On Status Of Women (NCSW), Gender Equity Program (GEP) And Aurat Foundation (AF), 12-14-2015

Ban The Two-Finger Test In Rape Trials, Pratiksha Baxi, 2 January 2013.

Best Practices in Medico-Legal Care for Survivors of Sexual Assault, War Against Rape (WAR), Karachi (2011).

Can two fingers tell the truth? Dorine Llanta, IntLawGrrls, 18 February 2019.

Code of Criminal Procedure 1898, Section 164A

Dignity on Trial, Human Rights Watch, ISBN: 1-56432-681-0, (September 2010), page 25-26.

Eliminating virginity testing: an interagency statement. Geneva: World Health Organization, Licence: CC BYNC-SA 3.0 IGO (2018), pp. 10-11; 'Imposition of virginity testing: a life-saver or a license to kill?' N. Shalhoub-Kevorkian, Soc Sci -Med., 60(6), doi:10.1016/j.socscimed.2004.07.015, (2005), pp. 1187-96; 'Virginity testing beyond a medical examination', M. Robatjazi, M. Simbar, F. Nahidi, J. Gharehdaghi, M. Emamhadi, AA. Vedadhir et al. Glob J Health Sci., 8(7), doi:10.5539/gjhs.v8n7p152 (2015), pp. 152-64

Guidelines and Protocols Medico-Legal Care for Survivors/Victims of Sexual Violence, Ministry of Health and Family Welfare, India, No.Z.28015/21/2013-H, (2014).

Health care for women subjected to intimate partner violence or sexual violence, World Health Organization, WHO/RHR/14.26 (November 2014).

Independent Forensic Expert Group. Statement on virginity testing, *J Forensic Leg Med*. 2015;33:121–4.

Jaising Modi, *Modi's Medical Jurisprudence and Toxicology* (22nd edn., New Delhi: Butterworths India, 2001), pp. 478, 503:

K.S. Narayan Reddy, *The Essentials of Forensic Medicine and Toxicology* (26th edn., Hyderabad: K. Suguna Devi, 2007), pp. 436, 438

*Medicolegal Aspects of Moral Offenses*, L. Thoinot, Published by F.A. Davis, Philadelphia, (1911).

Pakistan Penal Code, Section 375.

Parikh C. K., *Textbook of Medical Jurisprudence, Forensic Medicine and Toxicology* (6th edn., New Delhi: CBS Publishers and Distributor, 2005), pp. 5.11, 5.37

Report of the Committee on Amendments to Criminal Law, Justice J.S. Verma, Justice Leila Seth, Gopal Subramaniam (23 January 2013), pp. 275-278

Standard Operating procedures for Medicolegal Examination of Women Victims of Sexual Assault, Health Department, Government of Punjab (2011);

'The Criminal Justice System & Rape', An Attitudinal Study Of The Public Sector's Response To Rape in Karachi, Ayesha Khan and Sarah Zaman, *War Against Rape (WAR)*.

The Two Finger Test: Legal and Ethical Issue, G. Kalyani, *IJSRST*, Volume 2, Issue 2, Online ISSN: 2395-602X (2016).

UN: WHO Condemns 'Virginity Tests', Human Rights Watch (1 December 2014).

Virginity Testing: A Systematic Review, R. Olson, C. García-Moreno, *Reprod Health*, 14(1):61, doi:10.1186/s12978-017-0319-0, (May 2017).

What you need to know about Pakistan's new Anti-Rape Bill, Abira Ashfaq, *Dawn News*, 5 March 2015.