National Database on Sexual Offenders

Why in news?

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India recently became the ninth country to launch National Database on Sexual Offenders (NDSO).

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What is the objective?

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- The database will be maintained by the National Crime Records Bureau (NCRB) under the Ministry of Home Affairs and made available only to law enforcement agencies.
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- It will include names, photographs, residential address, fingerprints, DNA samples, and PAN and Aadhaar numbers, of convicted sexual offenders.
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- The database will contain more than 4.5 lakh cases, including profiles of first-time and repeat offenders, based on details compiled from prisons across the country.
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- The offenders will be classified on the basis of criminal history and the data will be stored for –
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1. 15 years in the case of those classified as posing “low danger”
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2. 25 years for those presenting “moderate danger”
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3. Throughout lifetime for “habitual offenders, violent criminals, convicts in gangrape and custodial rapes.
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- It will only have details of persons who are aged 18 or more.
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- Whenever the **details of a convict** are entered into a prison database anywhere in the country, the name will be uploaded to the registry.
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- Appeals against a conviction will have to be updated by state prisons and an accused can be tracked until an acquittal on appeal.
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- State police forces have been asked to regularly update the database from 2005, which will help keep track of released convicts who have moved from one place to another.
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- The registry will also store information on arrested and charge sheeted offenders but access to this will be limited to officers with the requisite clearance.
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- Juvenile offenders are likely to be included in the database at a later stage.
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What are the concerns?

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- **Access** - The database maintained by the FBI in the US can also be accessed by the public.
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- But the Indian registry will be available only to law enforcement agencies and not to the general public.
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- **Classification** - There is a possibility for deeming consensual sexual activity involving a girl under 18 as “low danger” offence and be recorded in the database, if the parents of the girl files criminal charges.
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- Thus a person getting added to the sex registry depends on laws that can be misused to arbitrarily classify suspects.
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- **Under – reporting** - The registry does not serve as a deterrent or help people who have survived sexual violence.
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- In India, most sex crimes are committed by a person known to the victim.
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- NCRB data of 2015 states that out of 34,651 reported rape cases, 33,098

were committed by people known to the victim.
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- This might lead to people under reporting cases of rapes or sexual offences, when they were subjected to threatening by the offenders.
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- **Violence** - Also a data breach or even rumours of possible inclusion in the registry can also trigger vigilante violence against the accused.
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- It will also result in discrimination and goes against the principle of trying to reform the criminal.
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Source: The Indian Express

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