

Bridging the Knowledge Gap: A Survey-Based Analysis of Awareness and Implications of Incest in India

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ABSTRACT

Incest, defined as sexual relations between closely related individuals, remains a sensitive yet critical issue that warrants thorough examination, particularly within the context of Indian society. Despite advancements in education and social awareness, the topic of incest is often shrouded in stigma and misinformation. This research paper presents an empirical investigation into the awareness and understanding of incest among individuals in India, based on a survey of 101 respondents, conducted in Gurugram region. The primary objective of this study is to examine the current level of awareness and implications of incest in Indian society. In addressing this objective, the study seeks to answer several key questions: What is the current level of awareness and understanding of incest among individuals in India? To what extent are participants knowledgeable about incest and its implications? The findings of this research reveal significant gaps in awareness and understanding of incest, highlighting the need for targeted educational interventions. By identifying and analysing effective awareness strategies, this study aims to contribute to the development of comprehensive programs that can effectively address the issue of incest and support societal change. This study contributes to a deeper understanding of incest as both a personal and societal problem, offering recommendations for improved prevention, support systems, and policy reform. By approaching this sensitive topic through empirical research, this study aspires to contribute to the discourse on incest awareness and inform future educational and preventive initiatives in India.

Keywords: Incest, Indian Laws, Awareness, Prevention, Legal Implication

1. INTRODUCTION

Incest is a web-forming crime, not just an ordinary one. Sexual relations beyond the norms in a family are known as incestuous relationships which are illegal and offensive in society and the religious world, they are considered to be heinous sins that can lead to worse outcomes (Chandra , 2021). In India, a country steeped in tradition and cultural norms, the issue of incest is particularly complex, intertwined with societal norms, religious beliefs, and familial dynamics. The outcry or discovery often is denied by the family who then may unite around the accused and against the victim, viewing the victim as a troublemaker (Lawson & Sullivan , 2020). Due to secrecy and threats involved in the abuse, often there is no other source to counteract these messages or way to escape the abusive relationship (Lawson & Sullivan , 2020). This can be a strong reason behind the continuation of incestuous relations.

Indian society is characterized by a diverse tapestry of cultures, traditions and social structures. While incest is widely condemned across different communities, the specific taboos and social sanctions associated with it can vary. In some cultures, marriage between close cousins is considered acceptable, while in others, it is strictly prohibited. These cultural nuances highlight the complexity of addressing incest within a diverse society like India.

This study aimed to provide empirical answers concerning particular issues. 101 people in all freely answered the survey's questions. Each question was designed to match the final purpose of paper i.e., to analyse current degree of knowledge and repercussions of incest in Indian society. Utilizing search engines such as EBSCO, Google Scholar, Research Gate, SCC Online, and other accessible materials, papers that describe incest legally were found, along with information on its frequency, disclosure hurdles, dynamics, factors, India's legal status, and societal norms.

2. INCEST

Incest means, sexual intercourse between persons so closely related that they are forbidden by law to marry; also, the offence of engaging in such sexual intercourse. There are various kinds of notions surrounding incest, which need to be carefully bifurcated to comprehend incestuous relations, taboo and their dynamics with individuals and society. According to the research, the two most common misconceptions are:

- 1. Similarity between rape and incest.
- 2. Descriptive as CSA (Child Sexual Abuse).

Incest abuse or intrafamilial sexual abuse against children occurs when the abuser and the bused are close relatives in descending or a horizontal line, or adults with parental relationships with children (Mondragon, Munitis, & Txertudi, 2022). This kind of abuse is a critical experience that marks the lives of victims, mainly when perpetrated by the father (Mondragon, Munitis, & Txertudi, 2022).

Rape vs. Incest

In a research study conducted in the year 2023 (Mohindra, 2023), it was identified that three major issues with India's rape law are: the lack of gender neutrality, incomplete provisions regarding incest and an overemphasis on penetration in defining rape. The paper highlights the need for clearer definitions of 'relative' in incest laws and advocates for classifying incestuous rape as an aggravated offence due to its severe psychological impact on victims (Mohindra, 2023).

The gravity index is one of the crucial factors that distinguishes rape from incest. Non-consensual sexual contact, which can happen between any two people regardless of their relationship, is known as rape. It is typified by the victim's lack of permission and may entail manipulation, coercion, or force. Incest, on the other hand, refers specifically to sexual relations between close relatives, which is often legally prohibited. The impact of incest and rape can differ in several significant ways, particularly regarding psychological effects, societal stigma, and family dynamics. Figure 1 depicts intertwined relationship that rape and incest hold.

CSA vs. Incest

Incest is defined as "the sexual abuse of a child by a relative or other person in a position of trust and authority over the child" (Ma., Garcia, Quijano, & Fajardo, 2021). There are factors associated with this notion such as families that are financially privileged, low socioeconomic status, lack of control over impulsive thoughts, mental instability, confusion of roles, or reconstituted families. CSA committed by a parent is related to particularly severe physical and psychological symptoms across the lifespan (Lawson & Sullivan, 2020). Incest with a child is considered to be a part of CSA, but CSA as a whole has a broader scope. As depicted in Figure 1, it can clearly be distinguished that both incest and CSA are intertwined with different ambits. Incest often involves children within the family, making it a form of CSA. However, not all CSA cases involve incest, and not all incest involves children. Both concepts are broader categories of abuse in which an adult or older adolescent engages in sexual activities with a child. This can include non-contact sexual practices like exposing a child to sexual activity or exploiting them through pornography. CSA can happen in a variety of settings and involve family members, friends, or strangers. The crucial component is the misuse of authority and trust, in which the perpetrator takes advantage of the child's susceptibility for sex. However, the term "incest" refers particularly to sexual relationships between parents, grandparents, or siblings. The intrinsic family bond that characterizes incest frequently makes the dynamics of power and consent more difficult to understand. Given the possible psychological and physical harm that can result from such interactions, incest is considered a crime in many cultures and legal systems in addition to being a moral transgression. The two highlighted issues centring incest are: (Rosenfeld, Nadelson, Krieger, & Backman, 1977)

- 1. Specific acts to be considered incest, and,
- 2. Who can be considered too closely related.

These definitions are useful psychiatrically but may not be appropriate in a legal framework (Rosenfeld, Nadelson, Krieger, & Backman, 1977). A comparative analysis is necessary to further enhance comprehension and comprehend the gravity of the offence. Incest victims experience greater negative consequences including poorer psychological well-being, feeling damaged and having depression, estranged from one or both parents, increased rates of teenage pregnancy feeling sexual dissatisfaction in adulthood, and also having a tendency toward females as sexual partners with lower socioeconomic status in adulthood than the other CSA victims (Gul, Gul, Yurumez, & Oncu, 2020).

Women and children are not safe in their own homes, as evidenced by the COVID-19 lockdown period. It is the perfect example to highlight the gravity of the hidden incestuous offence and to point out the grey law area of offence. On 2nd February 2024, Times of India reported "Father convicted of raping 17-year-old girl" (Upadhyay, 2024). The report stated words of ASJ Babita Puniya:

"Rape has always remained under-reported in our country. Most hidden rapes are those which are committed within the families by fathers, brothers or other men whom they had trusted. Sexual violence victims often experience a profound sense

of shame and stigma. These factors are compounded by attempts by their family members or the accused to influence the victims not to report the crime or, if crime has been reported, not to disclose the true and correct facts before the court. This is one such case"

It is evident that there are specific deficiencies in the Indian legal system. One notable gap is the trust in the mechanism intended to address incestuous cases.

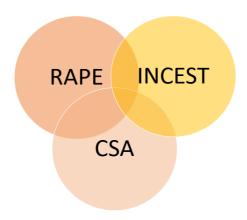


FIGURE 1: INTERTWINED RELATION OF RAPE, INCEST AND CSA

OVERLAP

The diagram shows that the circles of rape, incest, and CSA overlap. This indicates that:

Incest can be rape: If the sexual activity between family members is non-consensual, it falls under both incest and rape.

Rape can be CSA: If the victim is a minor, rape also constitutes child sexual abuse.

CSA can include incest and rape: Child sexual abuse is a broad category that encompasses both incest and non-consensual sexual activity with a minor

TYPES

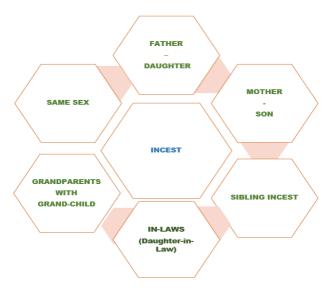


FIGURE 2: VARIOUS TYPES OF INCESTUOUS RELATIONS

1. Father-daughter incest (Hereinafter FDI): One of the most common types of incest is FDI and stepfather-daughter incest (Adegboyega, Ajiboye, & Abdulkareem, 2023). In these cases, the children are forced to have intimate relations, which might continue for years. In the last few years post covid-19, there has been an increase in

reporting of such cases. In fact, as per the news portal here are a few reported cases which might highlight the gravity:

- **1.1 8th December 2024:** Man sentenced to life for raping, impregnating minor daughter, forcing her to abort (Dabas, 2024).
- **1.2** Odisha: Man held for raping 13-year-old daughter (Odisha: Man held for Raping 13-year-old-daughter, 2023).

Throughout judicial history, there have been instances where incestuous ties between fathers and daughters have been deemed barbarous and atrocious. Here are few such cases with facts to evaluate the gravity:

- Lokesh Mishra v. NCT of Delhi (CRL. A. 768/2010), based on the facts Hon'ble Justice Mr. Kailash Gambir laid down certain points for consideration and pointed out one important question: "How can an individual, even after the introduction of such stringent laws be ignorant of the consequences of his act?" It was stated that the purpose of punishment is to curb the crime and protect the society from the upheaval and turmoil which are consequences of such offence. The end goal of sentence is not only deterrence but also correctional and reformative and determination and awarding of adequate sentence should always be commensurate with gravity of offence.
- Beeru v. State (NCT of Delhi), such incestuous relations destroy and rapture an innocent soul. Such cases show as to what extent a person can stop down just to satisfy his lust for sex. Such offences pollute the sanctity of relationships which were said to be made in heaven. A momentary pleasure out of lust for sex leaves an indelible scar not only physically but also emotionally on the victim.
- Bhanu Valve v. State((2011) 14 SCC 596), as per the facts of the case the petitioner has been found guilty of raping his own daughter regularly for five years after his wife left him and has produced a child from her. It was noted that 'This is one of the most barbaric and heinous cases we have come across in out judicial career.'
- 2. Mother Son incest (Hereinafter MSI): MSI and stepmother son incest is one of the rarest (Adegboyega, Ajiboye, & Abdulkareem, 2023). MSI typically involves genital foundling without intercourse if the child is young, but with boys over age ten coitus is the most typical activity (Adegboyega, Ajiboye, & Abdulkareem, 2023).
- 3. Sibling incest: Sibling incest is yet another type that is most common and still remains under-reported. There are a number of prevailing factors around sibling incest that need to be addressed. Post covid-19 there have been a few alarming cases reported via news portals. Such petrifying cases are:
 - **3.1** On Raksha Bandhan brother gets 20 years in jail for raping and impregnating sister: 31^{st} August 2023 (Banerjee, 2023).
 - **3.2** UP Crime: Minor Kills 8-Year-Old Sister Over Failed Attempt To Rape Her After Watching Porn In Bulandshahr (UP Crime: Minor Kills 8-Year-Old Sister Over Failed Attempt To Rape Her After Watching Porn In Bulandshahr, 2023).

Sibling incest might continue for a long just like FDI. Normally in such a case, one sibling is in the power of domination.

- **4. In-Laws:** This type of incest is also under-reported in India. But if report have tendency to destroy families. In the past there have been few such cases reported via news portal which have been mentioned below:
 - **4.1** UP woman slits drunk husband's throat to save 19-year-old daughter in law from sexual abuse (Chaturvedi, 2023).
 - **4.2** A man from Uttar Pradesh's Muzaffarnagar thrashed his 26-year-old wife and abandoned her after his father allegedly raped her ('You're now my ammi': Man throws out wife raped by his father, 2023).
- 5. Grandparents with grand-child: Although it might be challenging to conceptualize the occurrence of such a criminal act, it is a fact that, much to one's surprise, it does exist. The fact that incest is one of the situations that is under-reported means that there are just a few incidents that are brought to light. This year, one such instance has been reported as follows:
- **5.1** Man gets 20-year RI for raping granddaughter (Man gets 20-year RI for granddaughter's rape , 2024).
 - **6. Same-sex:** The notion of incest often brings to mind heterosexual relationships; however, same-sex incestuous relationships also occur and introduce distinct challenges for legal and ethical frameworks. This represents a largely uncharted domain of research, characterised by some of the most complex inquiries.

3. PERCEPTIONS: A SURVEY-BASED INVESTIGATION

Investigating the legal awareness and repercussions of incest was the main goal. A total of 101 people participated and offered their perspectives. Certain perceptions can be formed based on survey questions. The purpose of each question was to gauge the seriousness and degree of clarity of the proposed crime. Since incest is a sensitive topic that might cause psychological harm, no question that could have a detrimental effect was raised. Google Form was used to conduct the survey, which was distributed to academics, advocates, businessmen, homemakers, students, and others.

The initial two questions were designed to conduct an investigation of the fundamental concept of awareness as well as legal awareness. The analysis of both the questions are:

QUESTION	YES	NO	NOT SURE
Have you heard of the term "incest"?	82.2%	10.9%	6.9%
Are you familiar with any Indian Laws that specifically address incest?	33.7%	49.5%	16.8%

With regard to the concept of incest, the primary purpose of this question was to determine the level of awareness that exists. Considering that 82.2% of respondents gave the answer "Yes," it indicates that a significant amount of familiarity with the subject is present. It is possible that this is due to a number of different circumstances, such as increasing media coverage of associated issues, education programs, and conversations within social circles. The remaining responses indicate that a small portion of the population may be unaware of the term or uncertain about its meaning.

The second question, which was established with the purpose of determining the level of public awareness and comprehension on the legal status of incest in India, was formulated with the intention of determining whether or not any Indian laws directly address incest. It is possible for policymakers, legal professionals, and social organizations to develop the issue of incest in a more effective manner if they have a better understanding of the level of public awareness.

Among the individuals who responded, 33.7% said "YES," suggesting that they are aware of the specific Indian laws regarding incest. However, in actuality, there are no specific legislation that addresses the consequences of engaging in incest. At the moment, incest is administered in accordance with the rape provision and the POCSO (if it includes a child). Whereas, 49.5% of those who participated in the survey are unaware of the laws in India that deal with incest. It would appear from this that there is a major lack of awareness or comprehension surrounding this matter.

Possible interpretation:

- Low awareness: the high percentage of "NO" indicates a lack of awareness.
- Misconception as to the gravity: For Indian society, rape holds greater gravity as compared to incest. As incest is not dealt with separately like other countries (Canada, Germany, United Kingdom or Malaysia). There is still a widespread belief in Indian society that incest doesn't take place.
- Under-reporting: the relatively low percentage of "YES" responses could be due to under-reporting of incestuous relationships due to social stigma and fear of victim-blaming.

Limitation of both questions:

• Sample size: while 101 responses provide some insights, a larger sample size would be necessary to draw a more definitive conclusion.

Moving forward with the third question – "How confident are you in your understanding of the legal definition of incest?". The main objective of this question was to understand familiarity with the legal definition of incest. As far as Indian law is concerned, there is no precise definition of incest that has been stated. However, there are some countries in which incest has been codified as a separate offence that falls under the category of sexual offences. Canada, for say, has codified rape, incest and sexual offences under different heads – highlighting the gravity of the crime.

QUESTION	VERY CONFIDENT	SOMEWHAT CONFIDENT	NEUTRAL	SOMEWHAT UNCONFIDENT	VERY UNCONFIDENT
How confident are you in your understanding of the legal definition of incest?	16.8%	34.7%	36.6%	6.9%	5%

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With regard to overall interpretation of the legal definition of incest, 36.6% of respondents are neutral, which means that they neither agree nor disagree with the term. There is a degree of doubt or a lack of perfect clarity, as indicated by the fact that 34.7% of respondents had a slightly confident attitude. On the other hand, 16.8% of respondents are extremely certain that they have a very good comprehension of the legal concept of incest. It appears from this that a sizeable proportion of individuals are under the impression that they have a complete comprehension of the idea. To reiterate, the Indian legal system does not provide a precise definition of incest; nonetheless, the meaning of the term can be extrapolated from the laws of other jurisdictions. 6.9% indicates response of somewhat unconfident, suggesting a lack of certainty or a belief that their understanding is limited. 5% are very unconfident, indicating a small proportion of respondents who are unsure about their understanding of the legal definition. There is a need for public education initiatives to provide accurate and accessible information about the legal definition of incest. This would help to dispel misconceptions and promote a better understanding of the issue.

Forth question was "Do you believe that incest is a serious social issue in India?", framed to understand severity and attitude towards incest in India.

QUESTION	YES	NO	MAYBE
Do you believe that incest is a serious social issue in India?	70.3%	5%	24.8%

A substantial 70.3% of respondents consider incest a serious social issue in India. This indicates a broad acknowledgment of the seriousness of incestuous relationships. Indeterminate responses: merely 24.8% of participants replied "Maybe," indicating doubt. A minority of 5% responded "No," suggesting they do not regard incest as a significant social issue.

Limitation:

- Question Bias: The wording of the question itself might influence the responses. For example, the term "serious social issue" could be interpreted differently by individuals.
- Social desirability bias: Respondents might be hesitant to admit their true opinions about incest due to social stigma and judgement.

The next question was posed to better comprehend media representation. The question for media representation was, "How often do you see discussions about incest in the media (e.g., news, TV shows, social media)?" The following are the responses:

QUESTION	VERY FREQUENTLY	FREQUENTLY	OCCASIONALLY	RARELY	NEVER
How often do you encounter discussion about incest in media (e.g., news, TV shows, social media)?	5%	26.7%	17.8%	43.6%	6.9%

According to the responses, incestuous instances receive somewhat limited public attention. It's essential to consider the limitations and conduct further research to develop a comprehensive understanding of the complex relationship between media, public perception and social issues like incest. Some potential limitations and challenges for the media presentation of incestuous cases are:

- 1. Privacy concerns: Victims of incest often have a strong desire for privacy and anonymity.
- 2. Under-reporting: Under-reporting remains a serious challenge that has yet to be addressed. There are several variables that may have influenced or continue to influence victims to not disclose incestuous instances. Family dynamics is one such component that has a significant impact.
- 3. Complexity of the issue: Since incest is considered taboo, it becomes more difficult and poses a possible challenge.
- 4. Stigma and discrimination: Public discussion of incest can perpetuate harmful stereotypes and stigma against victims and survivors, making it difficult for them to seek help and support.

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Moving forward, the following set of questions has been established to assess the reporting index based on a number of aspects. A significant limitation for both questions was the restricted survey range.

QUESTION	VERY COMFORTABLE	SOMEWHAT COMFORTABLE	NEUTRAL	SOMEWHAT UNCOMFORTABLE	VERY UNCOMFORTABLE
Would you feel comfortable discussing the topic of incest with friends or family?	23.8%	36.6%	21.8%	14.9%	3%
Would you feel comfortable reporting a case of incest if you were aware of it?	40.6%	33.7%	17.8%	7%	1%

Here's an analysis of the questions based on the provided responses:

Question 1: Would you feel comfortable discussing the topic of incest with friends or family?

- Overall Comfort: A majority (72.8%) of respondents expressed some level of comfort discussing incest, with 36.6% feeling somewhat comfortable and 32.8% feeling very comfortable.
- Discomfort: A smaller percentage (21.8%) felt neutral, and 14.9% were somewhat uncomfortable. Only 3% felt very uncomfortable.

Question 2: Would you feel comfortable reporting a case of incest if you were aware of it?

- Overall Comfort: A higher percentage (81%) of respondents expressed some level of comfort reporting incest, with 40.6% feeling very comfortable and 33.7% feeling somewhat comfortable.
- Discomfort: Only 18.8% felt neutral, and 7% were somewhat uncomfortable. Only 1% felt very uncomfortable.

Key Observations:

- Higher Comfort in Reporting: Respondents appear to be more comfortable reporting cases of incest than discussing the topic openly with friends or family.
- Relatively Low Discomfort: Overall, the level of discomfort expressed in both scenarios is relatively low.

Possible Interpretations:

- Stigma Reduction: The relatively high level of comfort in reporting suggests that the stigma associated with discussing and reporting incest may be decreasing.
- Awareness & Education: Increased awareness and education about incest may be contributing to a greater willingness to report cases.
- Social Norms: Changing social norms and attitudes towards sexual abuse may be influencing responses.

Limitations:

- Social Desirability Bias: Respondents may have provided socially desirable answers, underestimating their true level of discomfort.
- Lack of Context: The questions do not provide context for the hypothetical situations, which could influence responses.
- Limited Demographic Data: Without information on demographics (age, gender, etc.), it's difficult to draw conclusions about specific groups.

The next set of four questions were drafted with an overall objective to assess public perceptions and attitudes towards incest and the role of awareness campaigns in prevention and addressing incest.

QUESTION	STRONGLY AGREE	AGREE	NEUTRAL	DISAGREE	STRONGLY DISAGREE
Do you believe that awareness about incest and the implications of incest can help prevent such cases?	46.5%	44.6%	8.9%		
Do you think that incest is a significant issue that needs more public attention?	44.6%	45.5%	9.9%		
Do you believe that public awareness campaigns can improve understanding of incest laws?	51.5%	43.6%	4%	1%	
Do you think that social stigma around incest affects individuals' willingness to discuss its legal implications?	33.7%	52.5%	13.9%		

Overall Analysis:

- Respondents may have been reluctant to express negative or controversial views on incest due to social desirability bias. This could lead to an underestimation of stigma and discomfort surrounding the topic.
- The questions focus on specific aspects of public awareness and do not delve into other important dimensions of the issue, such as:
- * Individual experiences with incest (victimization or witnessing abuse)
- * Knowledge of legal definitions and reporting procedures
- * Attitudes towards perpetrators and the justice system
- * Support for specific prevention and intervention programs

Challenges:

Addressing stigma and discomfort: The results indicate that stigma and unease around incest persist. Confronting
these difficulties necessitates delicate and sophisticated strategies that emphasize victim safety and welfare. This
may entail formulating culturally appropriate communication strategies, educating experts to respond sensitively to
disclosures, and establishing secure environments for victims to seek assistance. Although most respondents
consider awareness campaigns to be beneficial, there remains potential for enhancement in public education
initiatives.

The overall objective for next set of four questions was to determine public opinion on whether collaboration between government and non-governmental organizations would enhance awareness and prevention efforts related to incest.

QUESTION	YES	NO	MAYBE
Do you think that collaboration between government and non-governmental organizations would enhance awareness and prevention efforts?	87.1%	1%	11.9%
Do you think that more legal professionals should be involved in educating the public about incest laws?	91.1%	-	8.9%
Do you believe that discussions about incest should be included in school curriculums?	71.3%	6.9%	21.8%
Do you think educational programs on incest should be implemented in schools?	75.2%	5.9%	18.8%

- Strong Support for Collaboration: A significant majority (87.1%) of respondents believe that collaboration between government and non-governmental organizations would enhance awareness and prevention efforts related to incest. This suggests strong public support for a multi-sectoral approach to addressing this issue.
- Support for Legal Professionals in Education: A high percentage (91.1%) of respondents think that legal professionals should be more involved in educating the public about incest laws. This indicates a recognition of the importance of legal knowledge and expertise in addressing this issue.
- High Support for Including Incest Discussions in School Curricula: A majority (71.3%) of respondents believe that incest should be included in school curricula. This suggests a growing awareness of the need for age-appropriate education on sexual abuse, including incest.
- Strong Support for Educational Programs on Incest in Schools: A high percentage (75.2%) of respondents support the implementation of educational programs on incest in schools. This further emphasizes the perceived importance of education and prevention efforts in addressing this issue.

4. CONCLUSION

In India, incest is the most consistently under-reported violation of human rights. The victim's family seeks to ensure the safety of both the perpetrator and the victim. Consequently, the vast majority of these incidents remain concealed. They are apprehensive about safeguarding the family's reputation and the child's future. Unfortunately, victims suffer more from the societal shame associated with incestuous rape than the perpetrator. In India, incestuous relationships may result in several adverse consequences, including prostitution, unlawful behaviour, psychological harm, honour killings, and a breakdown of trust. A transgression executed in a moment of rage obliterates the entire family and any relationships the perpetrator may have possessed. The later regret that the offender feels is insufficient to absolve him of the violent deed he performed. There is an urgent need to address this issue.

Incestuous relations are serious offences that need attention by both Lawmakers and society at large. Based on the review, I'll suggest that more than a formal mechanism we need an informal mechanism to curb incest from society as it is a sensitive area. No doubt there should be strict laws but prevention is better than the actual happening of crime. To reduce such happening we need to have better parenting skills, moral education with an improved education system, minimization of alcohol sales and effective services by NGOs and other organizations.

In my opinion, media outlets and the educational system both have significant and important roles to play in raising awareness. Establishment of incest prevention units should be established. Additionally, there is an urgent need to start a public awareness campaign with the aid of the media to inform the victims of their rights and raise knowledge of the legal repercussions of these heinous acts.