

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA
UNSTARRED QUESTION NO. 2194
ANSWERED ON – 06/08/2026

SUPREME COURT GUIDELINES IN CASES OF SEXUAL OFFENCE

2194 SMT. RAJATHI:

Will the Minister of *Law and Justice* be pleased to state:

- (a) whether Government is aware of Supreme Court's recent observation in July, 2026 on the need for sensitivity when dealing with cases of sexual offences;
- (b) the salient feature of guidelines prepared by the National Judicial Academy;
- (c) whether Government has circulated the report of National Judicial Academy with relevant stakeholders including State Governments; and
- (d) the steps taken by the Ministry for the effective adoption of such guidelines across judicial and law and order institutions across the country?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI ARJUN RAM MEGHWAL)

(a) to (d): Yes, the Hon'ble Supreme Court, in its judgment dated 14.07.2026 in *Suo Motu Writ Petition (Criminal) No. 1 of 2025*, while dealing with a case involving sexual offences, emphasized the need for compassion, empathy and sensitivity in judicial processes concerning victims and other vulnerable persons. The Hon'ble Supreme Court observed that judicial decisions must embody the values of compassion, humanity and understanding, which are indispensable to the administration of a fair, responsive, and effective system of justice. The Hon'ble Supreme Court has accepted the report submitted by the Committee of Experts constituted through the National Judicial Academy.

The guidelines in the form of a report prepared by the National Judicial Academy pursuant to the directions of the Hon'ble Supreme Court seeks to promote a gender-sensitive and trauma-informed approach in judicial proceedings, particularly in cases involving sexual offences. The thrust of these Guidelines is to prevent secondary victimization caused by insensitive cross-examination, while fostering empathy, dignity, and fairness in the administration of justice through judicial training and awareness. The salient features of the report include, inter alia:

- Outlines the evolving constitutional and judicial principles of gender justice, emphasizing dignity, equality, privacy, bodily integrity, and autonomy. This would primarily help the stakeholders of criminal justice system to proceed in gender related cases in a sensitive and dignified manner.
- Provides practical guidance in conducting cross-examination in such cases, including safeguards against reliance to the survivor's sexual history and other impermissible considerations.
- Promotes progressive judicial approaches in identifying the areas of potential gender biases and prejudices in investigation and adjudication processes.
- Recommends the use of gender-sensitive and respectful language in judicial orders and judgments.
- Encourages compassionate, trauma-informed, and victim-centric courtroom practices that preserve the dignity and privacy of all stakeholders.

The judgment in *Suo Moto Writ Petition (Crl.) No. 1 of 2025* and Judgment in Miscellaneous Application No. 1998 of 2026 in *Suo Moto Writ Petition (Crl.) No. 1/2025* and the Publication 'JUDGMENTS AND GENDER (Sensitivity and compassion in writing judgments)' have been made available on the website of the Supreme Court of India.
