

## Awareness and Attitude towards Law pertaining to Suicide in Suicide attempters' and their Families in Rural South-India

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### Abstract

**Introduction:** An attempt to commit suicide has been decriminalised in several countries. However, India remains on the brink of the act of suicide being decriminalised as the new Health Care Bill may soon be realised. As there is no clear evidence as to how helpful the law remains in changing the scenario, we undertook this study with the aim to assess the awareness and attitude of the suicide attempters and their family attitude towards Section 309 of the Indian Penal Code which states that a suicidal attempt is punishable by law with a maximum punishment of imprisonment for a term of 1 year.

**Aims:** To study the awareness of existence of laws pertaining to suicide attempts in

- Suicide attempters
- Family of suicide attempters

Attitude towards existence of law in

- Suicide Attempters
- Family of suicide attempters

**Settings and Design:** Cross sectional study done at a tertiary care hospital in rural South India.

**Materials and Method:** 60 patients admitted as inpatients for attempted suicide were included following informed consent. A family member of each of all the inpatients formed the family group. The patients and family were given a semi-structured questionnaire and interviewed individually. Ethical Clearance from the ethical body of the institute was taken.

**Statistical analysis used:** Descriptive analysis of the data was done.

Results: Majority of suicide attempters (55%) and their family members(56.7%) were found to lack awareness about suicide attempt being a punishable offence.

**Conclusions:** Majority of the suicide attempters and their families lacked awareness about suicide attempt being a punishable offence but also stated that they would prefer the said law to exist. Our study is among the pilot projects to explore the question of decriminalisation of suicide in India from the perception of attempters.

**Keywords:** Suicide attempt, Suicide law, Awareness, Attitude, Section 309

**Key Messages:** Majority of suicide attempters and their family were unaware that an attempt to commit suicide was an offence that was punishable by law. Most felt the law should exist as a deterrent. Education has a role to play in the awareness.

### Introduction

Suicide is defined as death caused by self-directed injurious behaviour with any intent to die because of the behaviour. In contrast, a suicide attempt, is a nonfatal self-directed potentially injurious behaviour with any intent to die because of the behaviour. A suicide attempt may or may not result in injury.<sup>(1)</sup> Imperialism, monarchy, and organised religion, scriptures has condemned the act of "suicide" since time immemorial. An act of Suicide led to punishment being meted out to the suicide attempters' and at instances even to the surviving family members. The Section 309 of Indian Penal Code (IPC), which came into force in British India in 1860, <sup>[1]</sup>states, "Whoever attempts to commit suicide and does any act towards the commission of such offence, shall be punished with simple imprisonment for a term which may extend to one year [or with fine, or with both]."<sup>(2)</sup>

Over time, with liberalisation and advents in the understanding of human psyche and suffering, several developed nations worldwide have Decriminalised Suicide. India has begun the process of

Decriminalisation of suicide with the government introducing the Mental Healthcare Bill, in August 2013 in parliament.<sup>(2)</sup> Section 124 of the bill says, "Notwithstanding anything contained in Section 309 of the IPC, any person who attempts suicide shall be presumed, unless proved otherwise, to be suffering from mental illness at the time of the bid and shall not be liable to punishment under the said sections."<sup>(3)</sup> The bill also mandates that "the appropriate Government shall have a duty to provide care, treatment and rehabilitation to a person, having mental illness and who attempted to commit suicide, to reduce the risk of recurrence of attempt to commit suicide."<sup>(3)</sup> The legal changes have been proposed with a view to improving mental health care at national level. The bill aims, for the first time in India's history, to make affordable and quality mental healthcare as a right for all and, at the same time, decriminalises suicide.<sup>(3)</sup>

Experts in the field though have criticised the part of the bill that says that "any person who attempts to commit suicide shall be presumed, unless proved otherwise, to be suffering from mental illness at the

time of attempting suicide.”<sup>(3)</sup> According to Kala, some people who attempt suicide have no mental illness, but they attempt suicide because of problems such as extreme poverty, terminal illness, or losses in the stock market. “The keyword should be ‘perceived helplessness’ not ‘mental illness,’” said Kala. He thinks that the term “mental illness” will again stigmatise people who attempt suicide.<sup>(4)</sup> Also several views also supported the notion that Suicide being a punishable offence, it may serve as a deterrent for the masses.

There are no Studies from the West focusing on perspectives of Suicide attempters’ individually, however efforts into studying the impact of Decriminalisation of Suicide are reported. Lester examined the impact of decriminalization of suicide in seven nations (Canada, England and Wales, Finland, Hong Kong, Ireland, New Zealand, and Sweden)<sup>(5)</sup> and found that suicide rates were higher in the five years after decriminalization than in the five years before. The average rate in these seven nations rose from 9.66 per 100,000 per year to 11.24.<sup>(5)</sup> But Kahn et al state these findings may not indicate that the actual suicide rate increased in the above countries. It may mean that coroners and medical examiners were more likely to certify suicidal deaths accurately (and not disguise them by labelling them as accidental or undetermined) and it was not possible at the time to decide which of these possibilities is valid.<sup>(6)</sup>

Kahn Et al reviewed the effects of decriminalisation of suicide in Sri Lanka and stated that Sri Lanka brought about the Law decriminalising suicide in May, 1998. Along with the Law, the committee also recommended an increase in Mental health Services and discouraged widespread media reporting of the prevalence of suicide incidents as well as reduced ready access to suicide materials (pesticide).<sup>(6)</sup> These measures appeared to be accompanied by decreased suicide, from 8,514 suicides in 1995, the number declined to 5,412 in 2000 (Hawton, 2005).<sup>(7)</sup> This shift in India might go a long way in reducing the stigma attached with suicides.

As per our knowledge, there has been only one pilot study in India looking into the legal status of suicide from the attempters’ perspective <sup>(11)</sup> and no Western literature specifically exploring this issue. However, Kahn et al studied the outcomes of decriminalisation in several countries but did not assess the awareness or attitude of attempters’ towards legal status of suicide.<sup>(6)</sup>

As there has been no formal study exploring the awareness of the public to the Suicide Law in India, our study aimed to scrutinise the awareness towards the law in suicide attempters and their families, and also delve further as to their attitude pertaining to the existing Law.

## Subjects and Methods

**Study Design and setting:** Institutional based cross sectional study was conducted on patients who were admitted for attempted suicide at Adichunchanagiri Institute of medical Sciences and Hospital. This study was conducted from June 1, 2016 to July 31st, 2016. The Medical college and Hospital provides tertiary level care including super speciality, located in Bellur, Mandya District, which is 100 Km from Bangalore city, and caters to many rural districts in the surrounding. The Objectives of our study was:

1. To study *The awareness of existence of Law pertaining to suicide attempts in*
  - Suicide attempters’
  - Family of suicide attempters’
2. *Attitude towards existence of such a law in*
  - Suicide Attempters’
  - Family of suicide attempters’

**Source and Study Population:** All patients admitted for suicide attempt at Adichunchanagiri Institute & Hospital were considered as source population. All Patients with suicide attempt admitted at Adichunchanagiri Institute & Hospital during data collection period who fulfilled inclusion criteria and gave informed consent (patient and family) for inclusion were taken as study population.

**Inclusion Criteria and Exclusion Criteria:** All patients with suicide attempt who were admitted at Adichunchanagiri Institute & Hospital with age 18 years and above, medically stable and among them the individuals who consented along with family were included in the study.

Patients unable to respond and severely ill, and those unwilling to consent/ patients’ families who refused consent were excluded from the study.

**Sampling procedure:** Purposive Sampling method was used for sample collection. Among 75 patients interviewed, 11 patients refused consent and 4 families of patients’ refused to be part of the study, hence final study population was 60.

**Data Collection:** A structured questionnaire was used to collect data on socio-demographic characteristics (age, sex, ethnicity, religion, education, occupation, marital status, and income). Further Interview was conducted individually using semi-structured questionnaire, with patients awareness about the suicide law being recorded, as Yes-aware, No-Not aware, Not Sure. Similar question was posed to the families of suicide attempters’, with same options. Details as to past attempts, co-morbid medical illness, co-morbid psychiatric illness, and Family history of suicide were duly noted. The attitude towards the existence of the law was assessed by 2 questions, firstly whether they believed the Suicide Law should exist and secondly, whether awareness of the Law would prevent future attempts. The interviews were conducted individually, for patients and respective families, once the patients were declared medically stable. Socio-economic status

was classified using Kuppaswamy's Scale. Each and every questionnaire were checked for completeness and consistency at the end of every data collection.

**Data Analysis:** The collected data was checked for the completeness and consistency by investigators. SPSS 16 was used for data entry and analysis. After cleaning the data, frequencies and percentages were calculated to all variables which were related to the objectives of the study. The presence and degree of association between dependent and independent variables, also p-values were used to decide whether observed difference were statically significant or not. Finally, the result was presented using text and tables.

**Ethical Statement:** Ethical clearance was obtained from ethical review board of Adichunchanagiri Institute of Medical Sciences. Ethical issues of the participants were addressed throughout the study. All participants of the study were provided with an informed consent, clearly stating the objectives of the study and their right to refuse if at any juncture they did not want to answer the questions posed. All participants were randomly selected without any discrimination on any ground. Filled out questionnaires were carefully handled and all access to results were kept strictly to members of the group.

## Results

In our study (Table 1a), it was found that 50% (30) of the suicide attempters were not aware of existence of suicide law in India, and 5% (3) were unsure of its existence. Similarly Family awareness about existence of law was also found to be lacking, with 51.7% being unaware and 5% being unsure of Existence of said law

**Table 1a: Awareness of Existence of Law pertaining to suicide attempts**

Attempters awareness of law	Family member of attempters' awareness of law			
	Yes	No	Not Sure	Total
Yes	17	10	0	27(45%)
No	9	20	1	30(50%)
Not Sure	0	1	2	3(5%)
Total	26 (43.3%)	31 (51.7%)	3 (5%)	60 (100%)

(X<sup>2</sup>-31.885; df- 4; p- 0.000)

This study found that majority of suicide attempter's who were unaware of law were Men when compared to women(Table 1b). Our Study found that among the population that was unaware of the law pertaining to suicide being a legal offence, majority belonged to the group having completed education SSLC, followed closely by those having received education less than SSLC. Among those with a history of Suicide, awareness was less in those with previous history when compared to those with no previous suicide attempt.

As to the need for existence of Law which regards suicide to be a punishable offence, 68.3% of suicide attempters felt the need for the law and 63.3% of Family members also felt that the Law needs to remain in place(Table 2a).

**Table 1b: Demographic Details of Attempters' of suicide**

n-60	Awareness among suicide Attempters			
	Yes N(%)	No N(%)	Not Sure N(%)	Total N(%)
Gender				
Male	12(20)	19(31.7)	2(3.3)	33(55)
Female	15(25)	11(18.3)	1(1.7)	27(45)
Total	27(45)	30(50)	3(5)	60(100)
(X <sup>2</sup> -2.222; df-2; p-0.329)				
Education				
<SSLC	9(15)	10(16.7)	2(3.3)	21(35)
SSLC	8(13.3)	15(25)	0(0)	23(38.3)
2 <sup>nd</sup> PUC	6(10)	3(5)	0(0)	9(15)
Graduate	4(6.7)	2(3.3)	1(1.7)	7(11.7)
Total	27(45)	30(50)	3(5)	60(100)
(X <sup>2</sup> - 7.622; df-6; p-0.267)				
Past H/O Suicide				
Yes	8(13.3)	7(11.7)	0(0)	15(25)
No	19(31.7)	23(38.3)	3(5)	45(75)
Total	27(45)	30(50)	3(5)	60(100)
(X <sup>2</sup> - 1.353; df-2; p-0.508)				

**Table 2a: Attempters and Family's attitude towards need for said law**

Attitude of Suicide attempters' towards need for Law	Attitude of Family members of Suicide attempters' towards need for Law		
	Yes N(%)	No N(%)	Total N(%)
Yes	29(48.3)	12(20)	41(68.3)
No	9(15)	10(16.7)	19(31.7)
Total	38(63.3)	22(36.7)	60(100)

(x<sup>2</sup>-3.05, df-1, p-0.081)

**Table 2b: Would Awareness had prevented the attempt in those who were unaware of the Law**

Attempters attitude to need for law		Would awareness of law stopped the suicide attempter		Total
		Yes	No	
Yes	Count	19	22	41
		46.3%	53.7%	100.0%
No	Count	10	9	19
		52.6%	47.4%	100.0%
Total	Count	29	31	60
		48.3%	51.7%	100.0%

(x<sup>2</sup>- .206, df-1, p-0.650)

Among 41 of the attempters' who voted that the law was needed, 19(46.3%) said the awareness of law would have prevented the attempt and 22(53.7%) said it would not have prevented the attempt.(Table 2b)

However, this co-relation was not found to be statistically not significant .

**Table 2c: Association between Family History of Suicide and Suicide Attempters' Family' Attitude towards Need for law**

Family Attitude towards need for law		Family history of suicide		Total
		Yes	No	
Yes	Count	1	37	38
	% fam. attitude	2.6%	97.4%	100.0%
No	Count	4	18	22
	% fam. attitude	18.2%	81.8%	100.0%
Total	Count	5	55	60
	% of Total	8.3%	91.7%	100.0%

( $\chi^2- 4.41, df-1, p-0.036$ )

On Co-relating the Attitude of Family members to Family History of Suicide(Table 2c), it was found that among the majority who had a Family History of suicide, responded that the Law 8 pertaining to suicide being an offence be abolished. This Co-relation was found to be statistically significant.

## Discussion

The first global shift towards decriminalization of suicide occurred in Germany, 1751.<sup>(8)</sup> The French revolution marked all countries of Europe and North America subsequently decriminalising suicide. Further changes overtime have been instrumental in shifting attitudes about suicide in modern society.<sup>(9)</sup>

The first signs of a change in perception towards attempt to suicide in India appeared in 1981, when the Delhi High Court first condemned section 309 of the Indian penal code as “unworthy of society.” In 1994, The Supreme Court even went on to call it “irrational and cruel and hence void.” It held that the right to life and liberty, under article 21 of the constitution, must also be interpreted to include the right to die. But this was overruled a couple of years later by a five-judge constitutional bench of the apex court subsequently, who then reinstated the law in the 1996 (Gian Kaur vs. state of Punjab case).<sup>(10)</sup>

However there has been paucity regarding information on the awareness of law pertaining to suicide and further attitude towards such law among the attempters of suicide including their family members. A pilot study from southern India reported that majority of suicide attempters' were aware of the Law stating suicide as a punishable offence (36.3%), in contrast our study found awareness among attempters' as well as their family to be lacking (55% vs 36.3%).<sup>(11)</sup> The study found that increased awareness was found with increased education, and our study supported this finding as majority of unaware individuals belonged to High school educated followed closely by School dropouts/illiterates. Demographic details of age, gender and marital status had no bearing on their findings,

whereas we found that Majority of the unaware attempters were Male.<sup>(11)</sup> A previous attempt of suicide was associated with increased awareness of Law, as also reported by previous study.

The reasons for lack of awareness regarding suicide being a punishable offence could be as a result of lack of education (as supported by this study and previous studies),<sup>(11)</sup> or as a result of reluctance to admit to awareness of the law fearing the legal consequences, or stigma.

Furthermore, when the attitude of the attempters' to the existence of Law was explored, majority agreed that there was need for such a Law which is in keeping with findings of previous study. A similar attitude was found in families of suicide attempters, who stated the Law should exist. Our study differs from the previous pilot study in further assessing the attitude of the attempters' family which was not assessed in the pilot project. Although the sample of individuals with significant family history of suicide is small (5 out of 60), it was interesting to witness that the majority Families of attempters' with family history of suicide wished for the Law to be abolished. Although the finding is statistically significant, it does not represent the true value owing to the small sample size.

However, there are few points to ponder, like some states' in India have arguments that decriminalizing attempt to suicide would handicap law enforcement agencies in dealing with individuals who resort to fast unto death or self-immolation to press the government or authorities to accept their unreasonable or illegitimate demands.<sup>(12)</sup> However the government of India has initiated initiate steps for repeal of the anachronistic law contained in section 309, IPC. Thus keeping in view the responses from the states/UTs, after on and off stand regarding this section by various law bodies like courts and law commissions for nearly three decades, it has been announced on December 10, 2014, to delete section 309 of IPC from the statute book.<sup>(13)</sup>

## Conclusions

The pros and cons of the issue pertaining to decriminalisation of suicide law remains a controversial point. This study showed Majority of the suicide attempters and their families lacked awareness about suicide attempt being a punishable offence but also stated that they would prefer the said law to exist. This study also showed that Education has a role to play in the awareness of pertaining to suicide. However there did not appear to be major difference with regards to awareness of law to act as a deterrent to attempt suicide.

Our study is among the pilot projects to explore the question of decriminalisation of suicide in India from the perception of attempters. Our study explored this idea further by also including Awareness and attitude of family members in addition to the suicide attempters'.

However, since the issue is of magnanimous proportions the question remains largely unexplored. Further studies to explore the issue would help elucidate ways to strengthen the upcoming Suicide Law, thereby going a long way in preventing Suicide attempts and ensuring better Mental Health Care for all.

### Limitations of the Study

1. Major limitation of the study is its small sample size. A larger sample would have made the results more generalisable.
2. The factors of stigma and difficulties faced in legal proceedings have not been taken into account while constructing the questionnaire.

**Conflict of Interest:** None

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