‘Rape includes inappropriate touch of spouse’

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‘Rape includes inappropriate touch of spouse’  
  
A former Publicity Secretary of the Nigerian Bar Association (NBA), Benin branch, Mr Douglas Ogbankwa, yesterday said a husband can be held liable for the rape of his wife, if he touches her inappropriately.  
  
Ogbankwa stated this in a chat with reporters, following arguments as to whether it is possible for a man to rape his wife.  
  
He said prior to the domestication of the Violence Against Persons Prohibition (VAPP) Law in some states of the federation, it was legally impossible for a husband to be accused of raping his wife.  
  
Ogbankwa said this was basically due to exceptions established by the penal laws in some parts of the country, which excluded a husband from accusations of rape of his wife, and vice versa.  
  
He, however, said following the domestication of the VAPP Law, the position has effectively changed and it now makes a husband culpable of raping his wife even by advances or touches considered inappropriate.  
  
The legal practitioner said that this development has also led to a reduction in the standard of proof required to prove rape.  
  
“Before the coming into fruition of VAPP Law in some states, a husband was (legally) incapable of raping his wife.  
  
“This was due to the exceptions created by the Criminal Code Law in Southern states and the Penal Code Law in Northern states.  
  
“The law stipulated that rape can only be done against people other than one’s wife.  
  
“In the same law, a woman was incapable of raping a man, which was a lacuna that worked against men who, in fact, had become victims of rape.  
  
“The VAPP Law has now made provisions for what is considered spousal rape, which can either be a rape of either a husband or a wife by the other spouse.  
  
“This has now been categorised as violence against persons,” he said  
  
The former NBA publicist noted that there was also an expansion of the law, which had also expanded the meaning of rape to now include any kind of touch on any part of the body considered inappropriate.  
  
“You find that what was ordinarily referred to as sexual harassment or assault in the criminal and penal code, has now assumed the appellation of rape.