

Sexual assault: What happens during a forensic medical examination

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Sexual assault is a traumatic event that affects people in different ways,

both mentally and physically. So doctors and nurses know care immediately after an assault needs to be understanding, compassionate and sensitive.

This is particularly so during forensic examinations where the main purpose is to collect evidence as quickly as possible after, but within 72 hours, of the assault. This evidence may be vital to secure a conviction and may be lost or contaminated if there is a delay.

So, what happens during the forensic medical examination? And if you've been sexually assaulted, what can you expect?

People who have been sexually assaulted, be they adult or children, can expect slightly different procedures depending on their state or territory. The general principles, however, remain the same.

To support a conviction, evidence is required to connect the victim to the offender at a particular location. In most cases, specially trained doctors or nurses collect this evidence when you go to a hospital or clinic.

But first, they will ensure you don't have an injury or condition needing urgent medical care as this needs to be treated beforehand. The forensic practitioner will then explain the process and seek your consent to proceed.

They will ask you for an account of the assault to know which evidence to collect. They will examine you, document injuries and collect the evidence.

What evidence will they collect and how?

The doctor or nurse uses what's known as a "rape kit" to collect evidence. This kit contains the necessary material, including swabs,

forceps, collection bags, labels and seals.

Evidence may consist of your clothing; swabs of your skin; swabs taken from the anus and genital region including the vagina; fingernail scrapings; and samples from any biological or other external material found.

The doctor or nurse may collect blood and urine samples if drugs or toxins are involved, for instance if there's a chance you could have been drugged or poisoned. They will also take a swab from inside your mouth as a reference sample of your DNA.

DNA contamination is possible, in one instance it has resulted in an innocent man being [sent to jail](#). Several measures are in place to minimize the chance of this happening. An unopened rape kit is certified DNA-free. And doctors and nurses will examine you in a "[clean room](#)" if available. These dedicated forensic rooms are carefully cleaned after each examination to reduce DNA contamination.

Once the doctor or nurse collects the evidence from you, they seal it to ensure it is not tampered with and if it is, this can be detected. They then hand over the evidence to a [police officer](#), who delivers it to the forensic laboratory.

The process of transfer of evidence from the forensic practitioner to the laboratory is known as chain of custody. Should this documented chain be broken, the integrity of the evidence comes into question (could someone have tampered with it?) and it may not be admissible in court.

Doctors and nurses support you in other ways

Beyond collecting evidence, the forensic practitioner has other duties. They will ensure you receive any follow-up medical and mental health

care.

That might include treating your injuries, giving you medicine (prophylaxis) to prevent sexually transmitted infections and giving you the morning-after-pill to prevent pregnancy.

The doctor or nurse will also ensure you have transport to get to a safe refuge after leaving the hospital or clinic.

Their final task is to write a medico-legal report detailing what they found when they examined you and what evidence was collected. This report may be required in court and may contain an expert opinion if provided by a forensic doctor.

Depending upon the circumstances and protocols in place, the police may interview you briefly before the forensic examination and then again, but in more detail, afterwards. If you go to hospital late at night, this second interview may be delayed until the next day.

Who will examine you?

Doctors or nurses who perform [sexual assault](#) examinations need specialized knowledge of forensic and legal medicine. So, like other specialized areas of medicine, there are a limited number of facilities available in regional and [remote areas](#) to perform these examinations.

However, even if you live in an area without specialized forensic facilities, you can still be examined and evidence collected. In this case, forensic doctors can guide a local doctor or a [nurse](#) through the examination by providing advice over the phone. This can occur even without a rape kit by using pathology collection equipment present in all hospitals and clinics.

In these cases, the medico-legal reports don't contain opinions about the case. They just contain the facts.

No adult or child who has been sexually assaulted should need to travel great distances or wait excessive times to receive appropriate forensic care.

And if this [does happen in regional and remote areas](#), this is usually down to not having enough facilities rather than [doctors](#) and nurses refusing to perform the examinations.

Competent evidence collection may be undertaken in any hospital or clinic. This is vital. Without this evidence, convictions may fail and perpetrators may be set free. Although often tedious and at times uncomfortable and tiring, these examinations are essential to ensure justice.

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