

Examination of Alleged Sexual Assault / Violence

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MD (For Med 2018)



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Faculty of Medicine

MBBS CURRICULUM : Course content

Laws on Rape/Incest/Unnatural offences/Grave sexual offence A

Clinical examination of a victim of rape, ethical aspect & the collection of samples A

Interpretation of injuries found on a victim of rape-A

**Clinical examination & collection of samples
of an assailant- A**

Examination of assailant in a case of

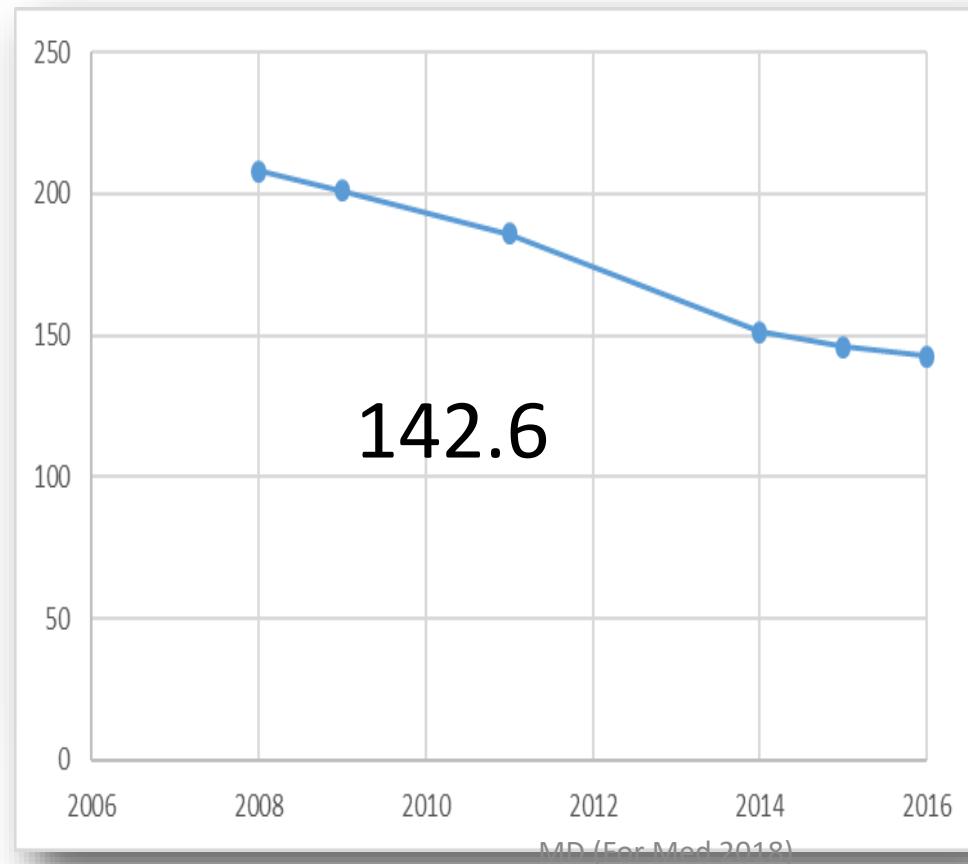
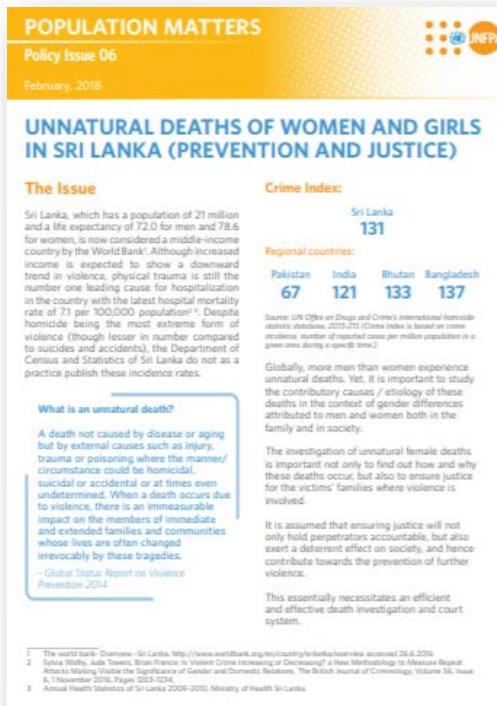
**A: Comprehensive knowledge of
specified area and competency in
specified medico -legal work**

To produce a graduate who will be able to conduct a medico-legal examination of an alleged victim or perpetrator of sexual assault adhering ethical principles, write a report and give evidence in a court of law as an expert witness

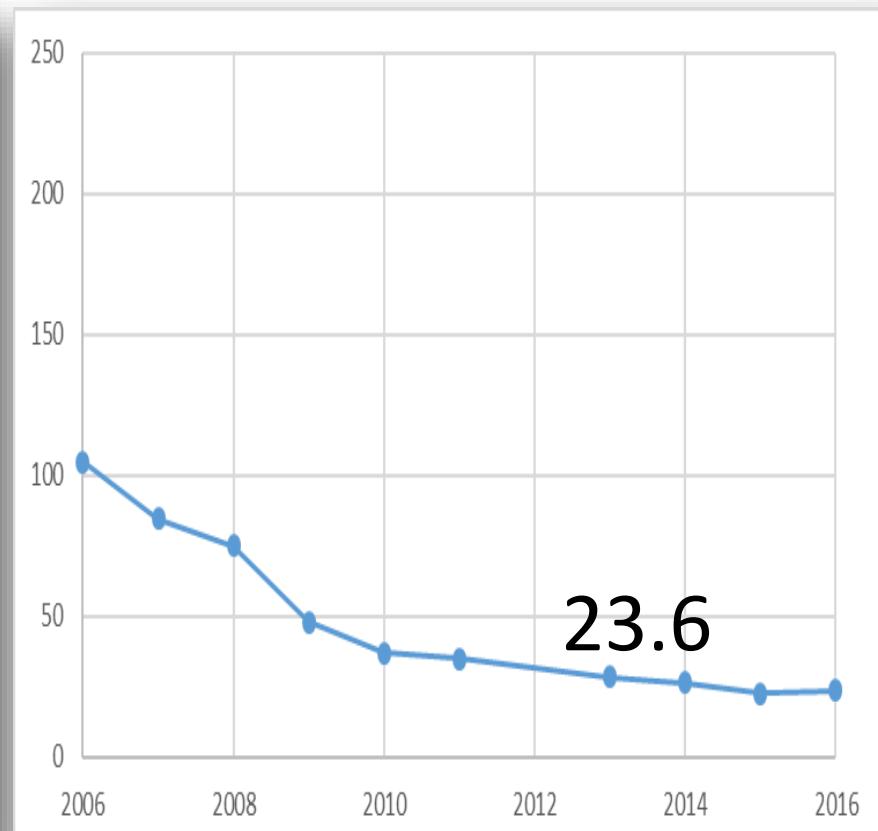
Knowledge, Skills , Attitude

Sexual Violence in Sri Lanka: Extent of the problem- Dead (females)

Suicide Incidence Rate of Sri Lanka
(Per million population)

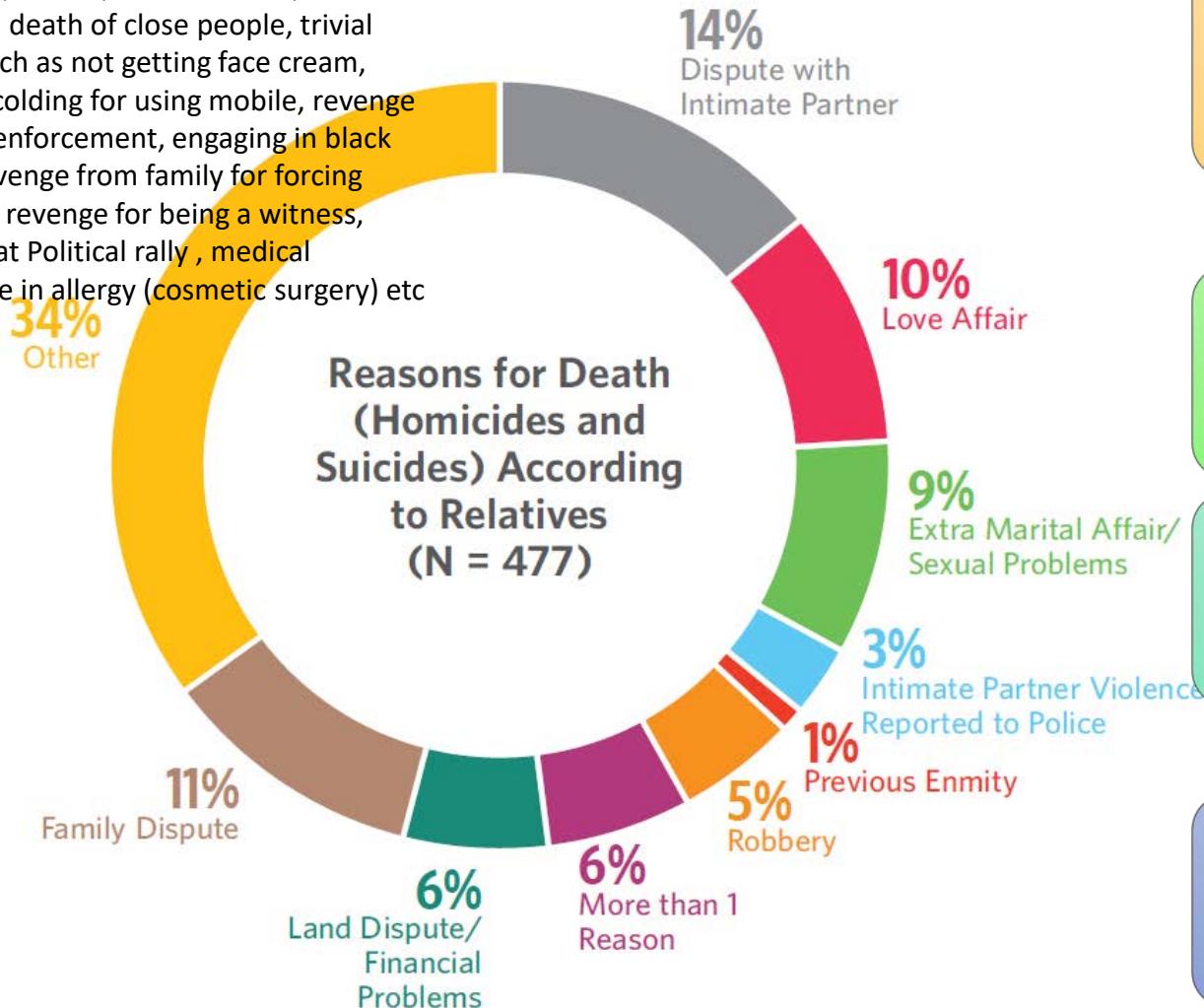


Homicide Incidence Rate of Sri Lanka
(Per million population)



Reasons to die (Homicides & Suicides)

Education, Health, mental illness, unable to cope with death of close people, trivial reason such as not getting face cream, mother scolding for using mobile, revenge with law enforcement, engaging in black magic, revenge from family for forcing marriage, revenge for being a witness, shooting at Political rally , medical negligence in allergy (cosmetic surgery) etc

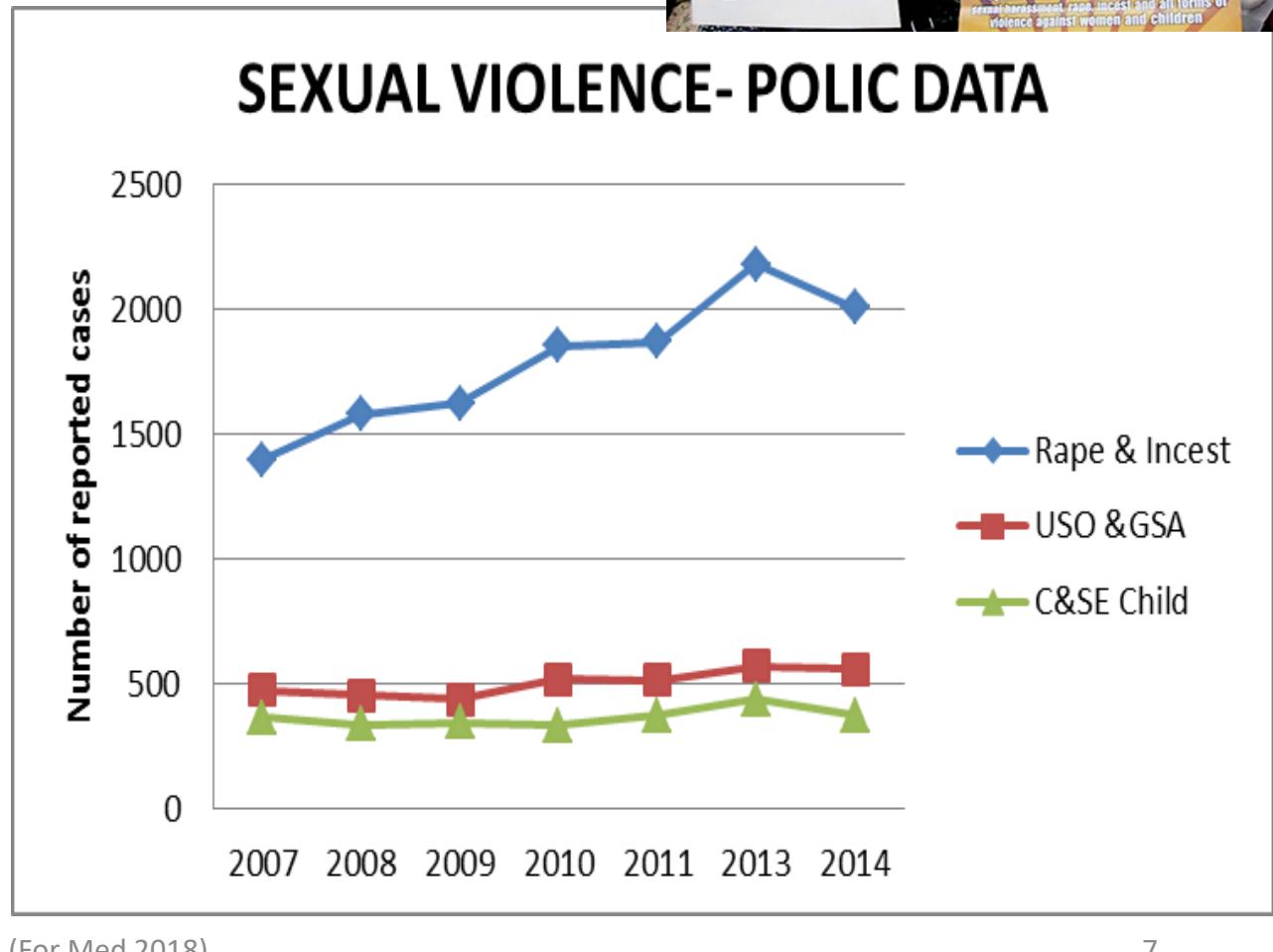


36% were IPV

36% of homicides perpetrator was legal husband/ lover/ ex lover

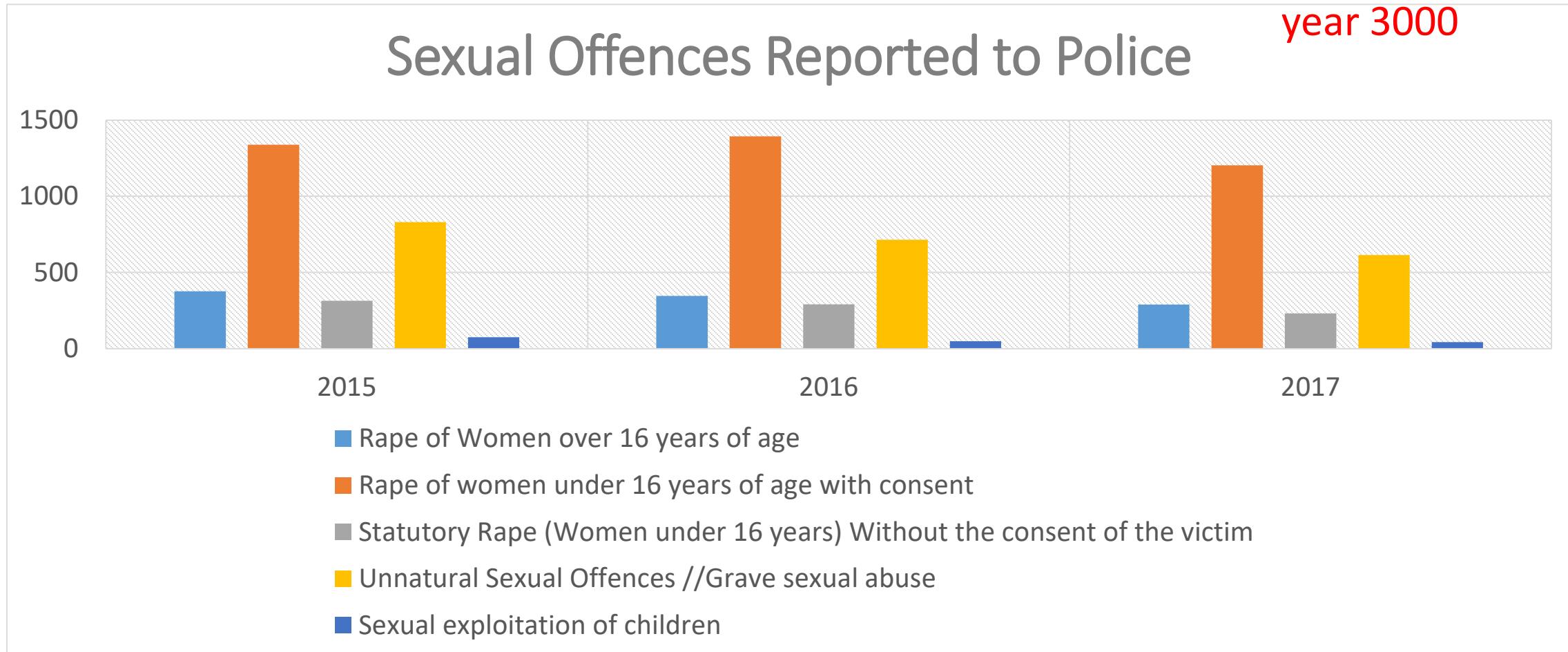
21% homicides perpetrator was a blood relative

3% of females who died reported IPV more than once to police

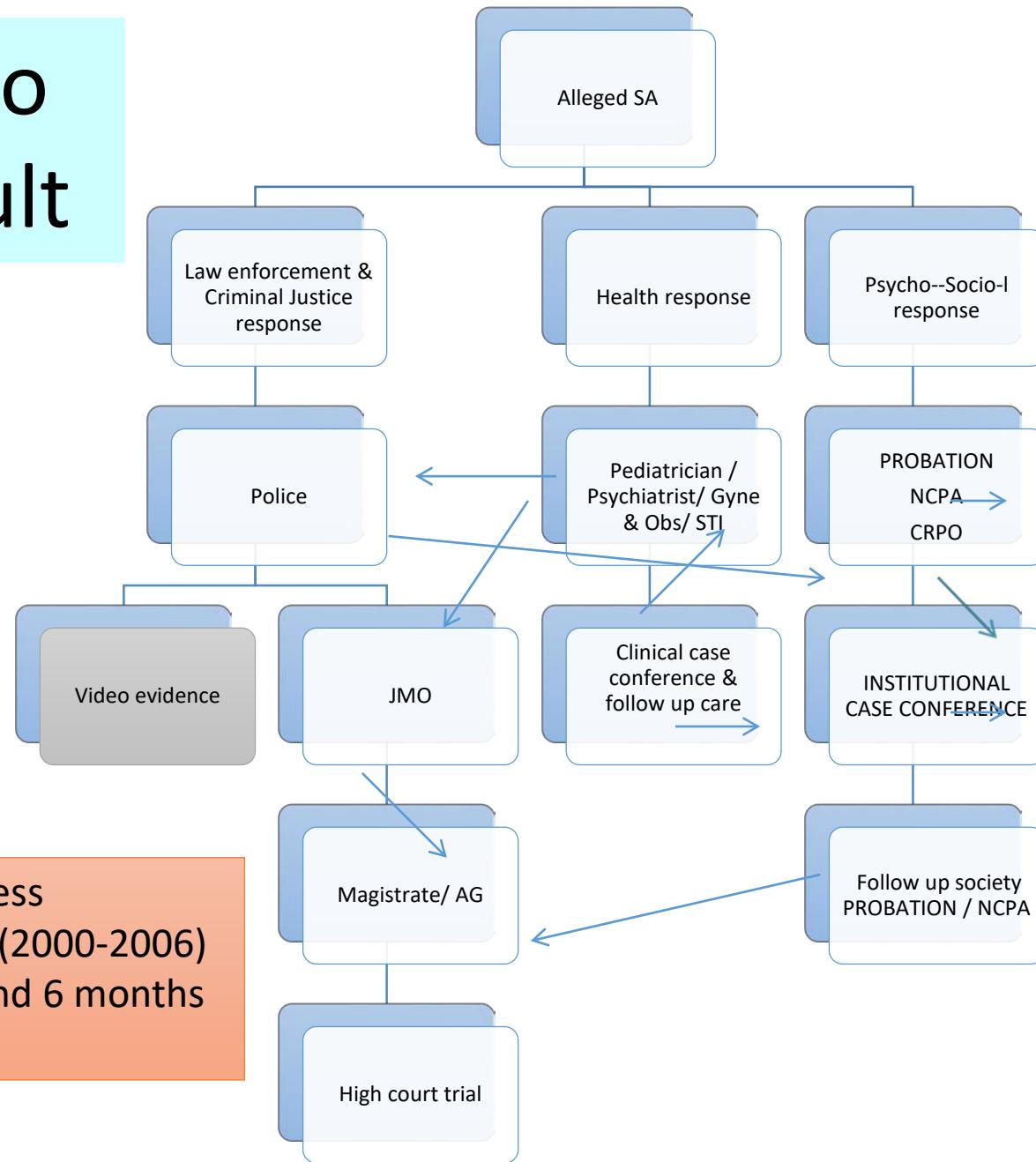


Sexual violence in Sri Lanka : Extent of the Problem

Total cases per year 3000



Responses to sexual assault



Sexual offences and Justice

- ❑ Rape is not a medical concept but a legal concept
- ❑ Investigation into the alleged sexual offence: police
- ❑ According to the requirements of law
 - Whether the alleged sexual offence has taken place (Sexual intercourse/ or other sexual offence) (penetration)
 - Consented act or non consented act
 - Identification of possible assailant/s
 - Other relevant findings – Age, intoxication, STI, pregnancy

If the victim is child, he or she comes under the vulnerable group



Mandatory reporting to the criminal justice system is practiced by professionals and the society

How and who presents victims for medico-Legal examination in Sri Lanka?

Police

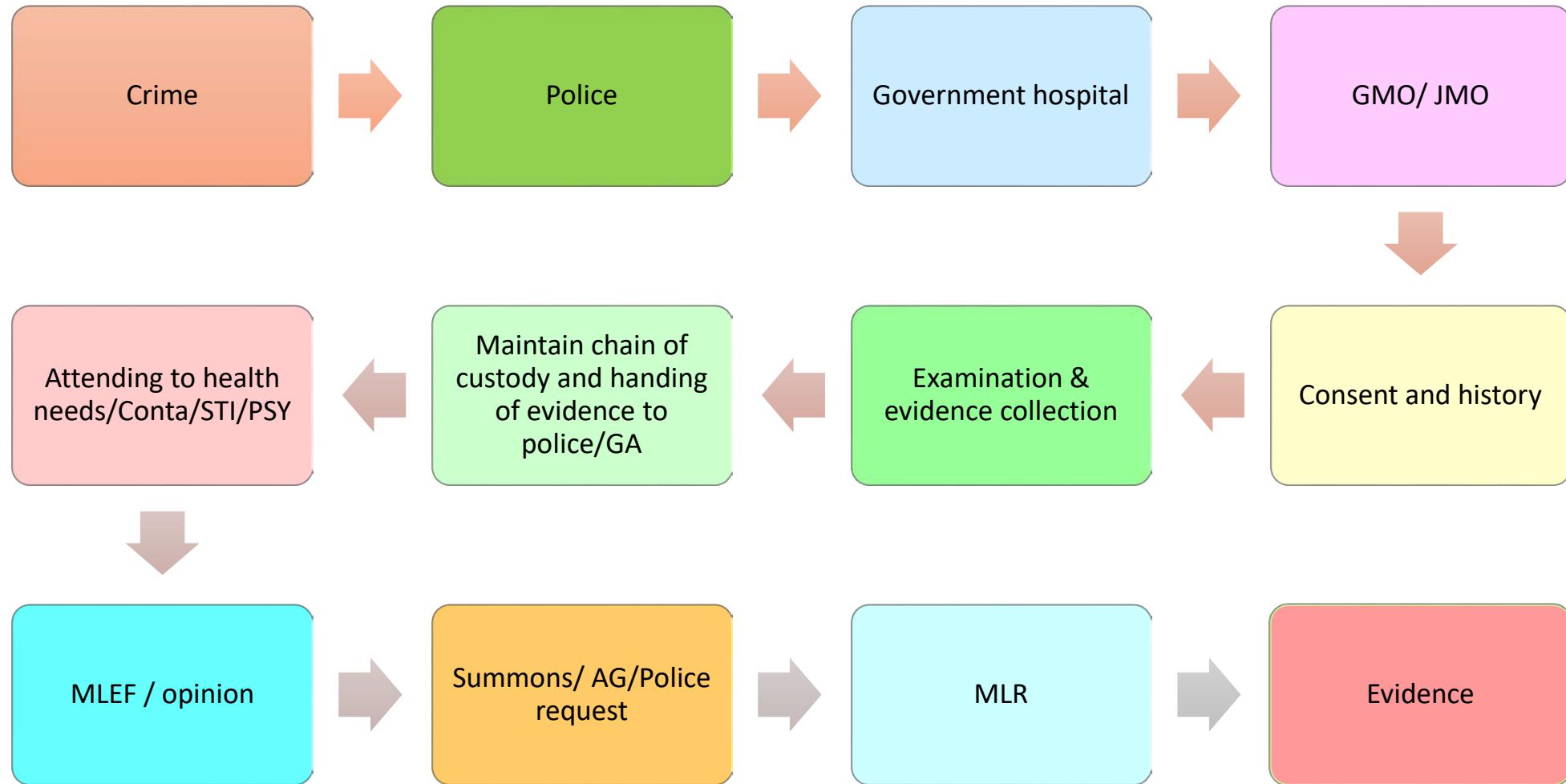
OPD/ WARD/
police

Courts

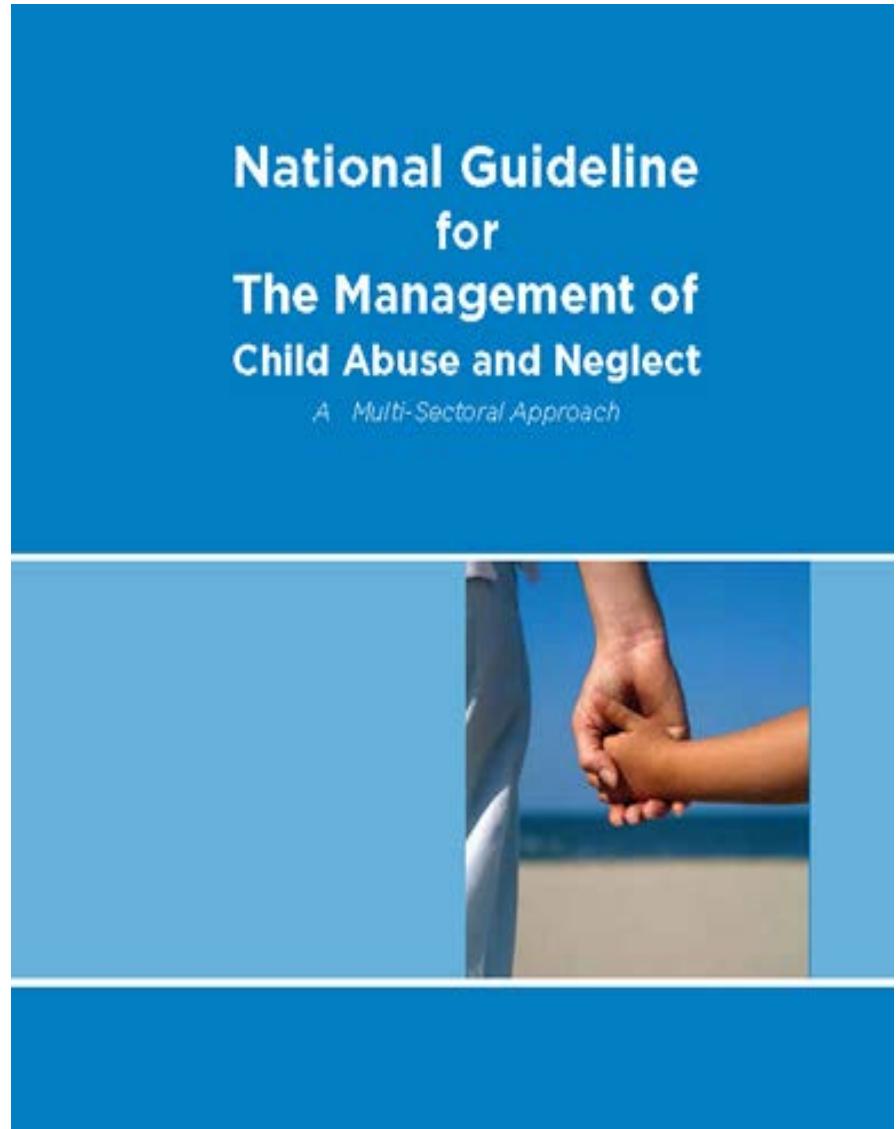
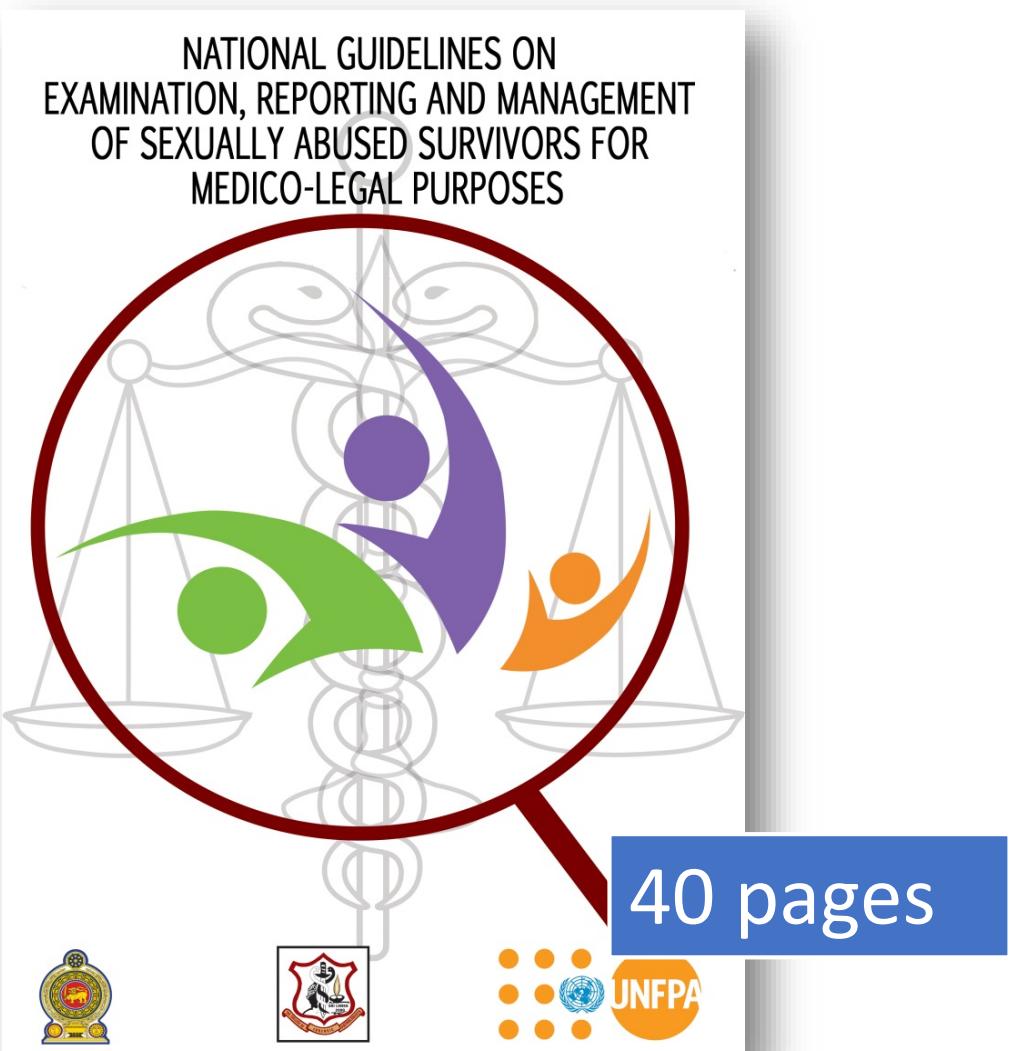
NCPA

For 2nd
opinion by
other JMOs

Medico-legal response in Sri Lanka



Sri Lankan Guidelines





May 2014



May 2015

Health Publications & Rep x

www.health.gov.lk/en/index.php?option=com_content&view=article&id=306&Itemid=101

Ministry of Health & Indigenous Medicine Sri Lanka

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National Guidelines on Examination, Reporting and Management of Sexually Abused Survivors for Medico-Legal Purposes	download
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Performance and Progress Report 2012-2013	English Sinhala Tamil
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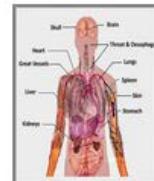
GALLERY

EVENTS

Learning Materials



Poisonous Plants



Museum Specimens



National Guidelines on Examination, Reporting And Management of Sexually Abused Survivors For Medico-Legal Purposes



National Guideline on Child Abuse and Neglect



Guidelines For Clinical Examination For Drunkenness



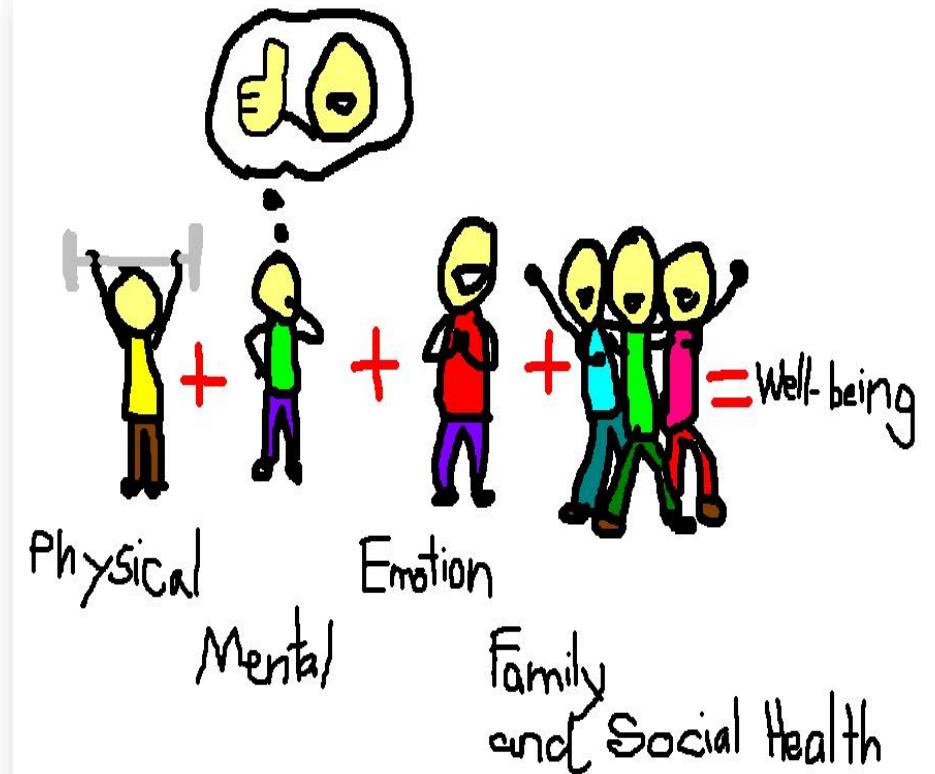
Sexual Rights and Responsibilities



Fixed Learning - 5 -Poisonous Plants

Examination Principles

In caring for victims of sexual violence the overriding priority must always be the health and well-being of the patient



Conduct of examiners

kindness of the
treating personnel as
being beneficial to
their recovery



Actions, words and deeds of
examiners should be for the
benefit of the examinee

Our actions



Words that are gentle
and soothing

No judgmental or
critical comments

Treated with respect
and dignity

Human Rights of sexually abused survivors

Right to health care

Right to human dignity

Right to non-discrimination

Right to information

Right to self-determination

Right to privacy

Right to confidentiality



Obtaining consent for examination

- Consent should be “informed consent”
- Explaining all aspects of the consultation
 - Examination process
 - Samples that are obtained
 - Information released to other parties including police and judiciary
 - Management options
- Informed Witten consent

Consent Forms

NATIONAL GUIDELINES ON EXAMINATION, REPORTING AND MANAGEMENT OF SEXUALLY ABUSED SURVIVORS FOR MEDICO-LEGAL PURPOSES

3. CONSENT

සිංහල සංස්කීර්ණ සේවක, සැක්සො සංස්කීර්ණ සාර්ථක නියම කළ තුළ මෙය යෝ
සෙවක තමයිකා :

සෙවක පෙන් ජයමෙහි ඉහළ පෙන් ජයමෙහි
(හිතෙහි) ඇඟිල එහි
(තුළ) එහි පෙන් ජයමෙහි පෙන් ජයමෙහි
අභ්‍යන්තර හූම දීම්. (දිගු එකෘති අඩු, පුදු එකෘති)

Yes No

1. තදෙක භෞත්, වෘත්තීය, උඩ අඩු සහ සෙවක පරිභාර
(මිනින්දො සහ ගැටු පෙන් ජයමෙහි)
2. තදෙක භෞත්, උඩ අඩු සහ සෙවක පරිභාර පදනම ඇතුළු වැඩු දරයා
3. ප්‍රායෝග තුළ ඇති
4. සෙවක සාධාරණ පදනම වැඩු දරයා
5. සෙවක ඇති සෙවක, සෙවකා සහ පෙන් ජයමෙහි වැඩු දරයා

සෙවක සෙවක අඩු සහ සෙවක සාධාරණ පදනම වැඩු දරයා

4. මෙය සෙවක සාධාරණ පදනම වැඩු දරයා සියලුම සෙවක සාධාරණ පදනම වැඩු දරයා නො සෙවක නො සෙවක සාධාරණ පදනම වැඩු දරයා නො සෙවක නො සෙවක සාධාරණ පදනම වැඩු දරයා

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02. ප්‍රායෝග
03. ප්‍රායෝග දෙපුරුව
04. සෙවක සාධාරණ පදනම වැඩු දරයා මෙයෙහි සාධාරණ පදනම වැඩු දරයා
05. මෙයෙහි සාධාරණ පදනම වැඩු දරයා

Signature/ thumb impression:

Date & time:

Name & signature of witness(es):

Consent for Medico-Legal examination, investigation and reporting.
Name of the Medical Institution:

I (Name of the examinee) give my consent to Dr.
to perform the following at the medico-legal examination. (Tick appropriate boxes).

Yes No

1. Obtain information about the incident & Conduct a clinical examination.
(Including PV, PR examination)
2. Collection of evidence
3. Obtain photographs
4. Special consent for medical referral
5. Provide evidence & medical information to the police and/or courts

SEXUAL VIOLENCE EXAMINATION RECORD

NAME:
DATE OF EXAMINATION:**CONSENT FOR A MEDICAL CONSULTATION***

..... (*insert health worker's name*) has explained to me the procedures of examination, evidence collection and release of findings to police and/or the courts.

I (*insert patient's name*) agree to the following:

(Mark each n that applies)

- Examination, including examination of the genitalia and anus.
- Collection of specimens for medical investigations to diagnose any medical problems.
- Collection of specimens for criminal investigation.
- Photography.
- Providing a verbal and or written report to police or other investigators.
- Treatment of any identified medical conditions.

Patient's (or parent's or
guardian's) signature or mark

Witness' signature

Date

Examination

Good doctors: good practices

Greet the patient by name

Make her your central focus

Introduce yourself and tell her your role.

Be empathetic and nonjudgemental

Be unhurried



Take time to explain the procedures and why they are needed

Give your patient a chance to ask any questions

Allow a family member/ friend present throughout the examination, if he/she so wishes.

Chaperone always to be present throughout examination

Why chaperone is needed?



- provide comfort and support to the patient
- always be present
- preferably a trained health worker
- protects the examiner in the event of an allegation that examiner behaved in an unprofessional manner

Chaperone

Examination setting



Good light, warm, clean and private place.
Provide both auditory and physical privacy.

Separate areas for undressing (e.g. behind a screen or curtain, or separate room).



Procedures in history taking

Befriending

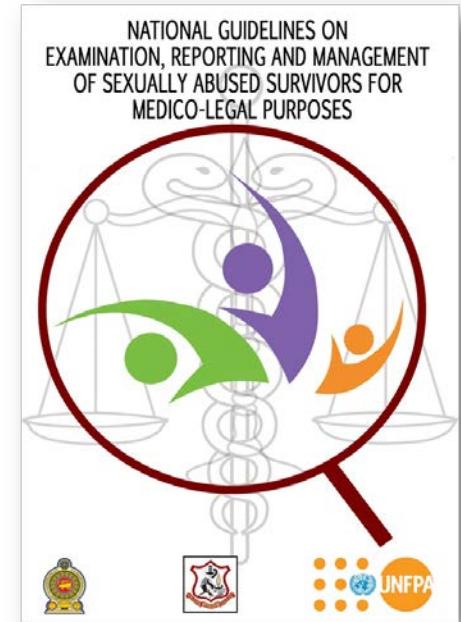
Prevent re-victimization/ Secondary victimization

Open ended /no leading questions

Leads the doctor in physical examination & evidence collection

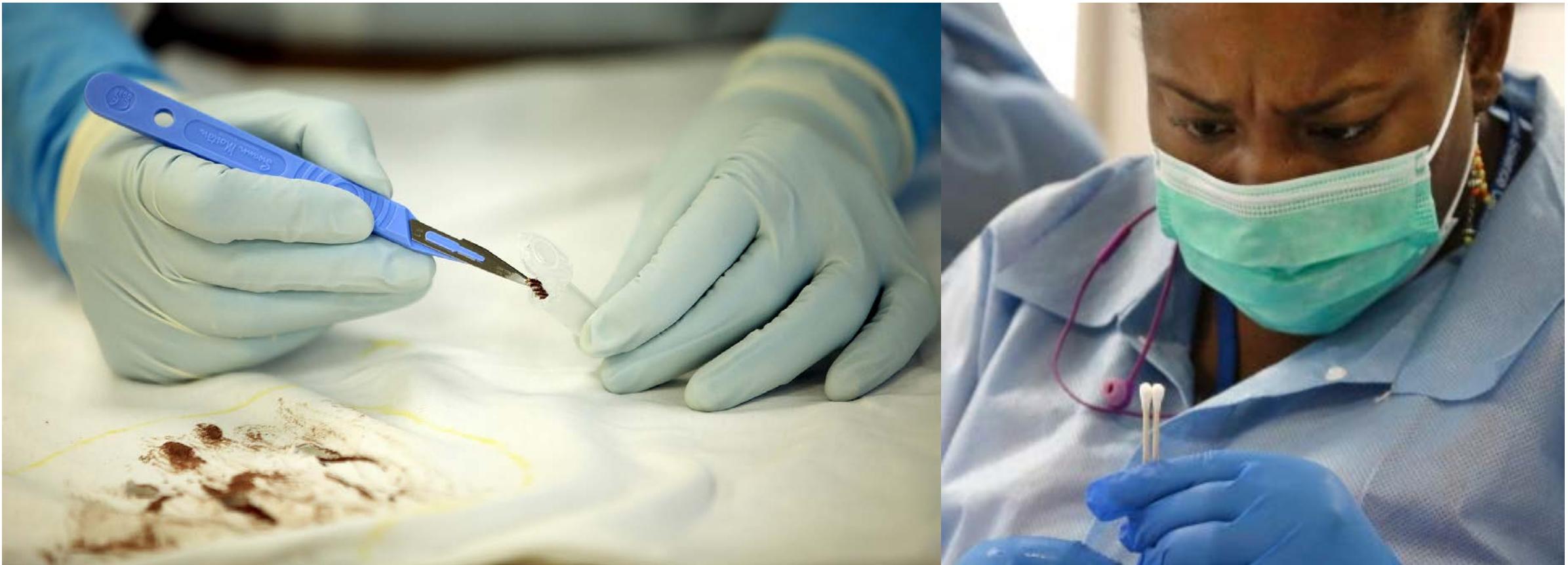
History

- General information
- Information about the incident-how, when, where, who, etc.
- Sexual, gynecological and obstetric history
- Past medical history
- Social history
- Family history
- Relevant systemic inquiry

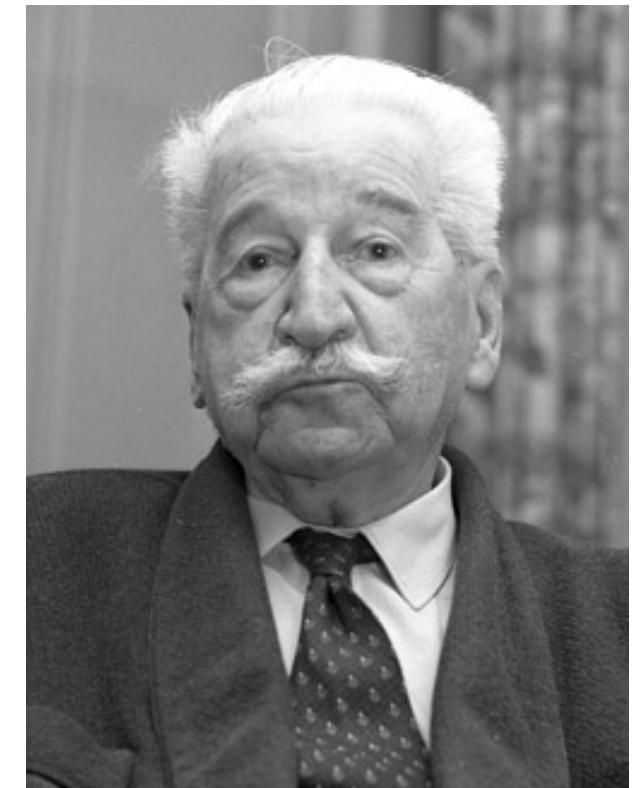
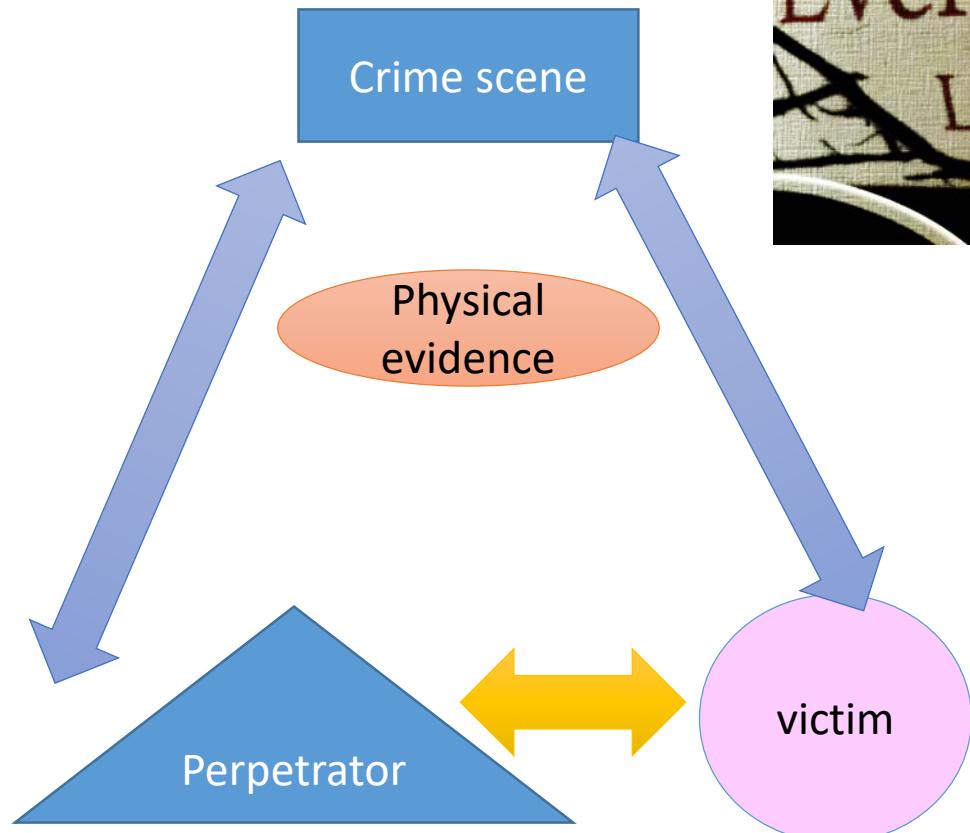


[LITRATURE SEX ASSAULT\National Guidelines.pdf](#)

Sexual assault forensic/physical evidence



Why we need forensic evidence?



Physical evidence is factual. Unlike humans, it's a silent witness that speaks when humans cannot. Physical evidence cannot be wrong, it cannot lie, it cannot be wholly absent. Only human failure to find it, study and understand it.

Best practices during examination



Throughout the physical examination inform what you plan to do next and ask permission.

Always let the examinee know when and where touching will occur

Show and explain instruments and collection materials.

Examinee may refuse all or parts of the physical examination and you must respect the patient's decision

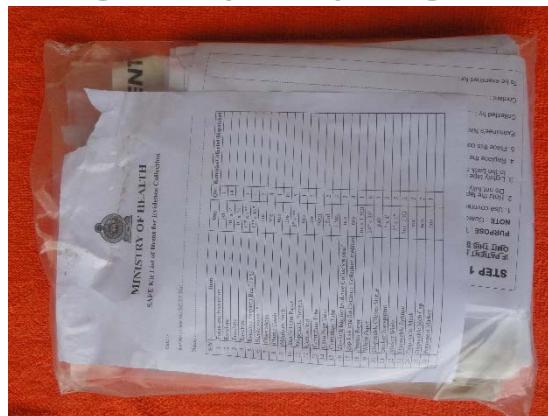
Allowing the examinee a degree of control over the physical examination is important to her recovery.

"Rape/ SAFE kits" (72 hours/96 hours)

International



Sri Lankan SAFE KIT by MOH



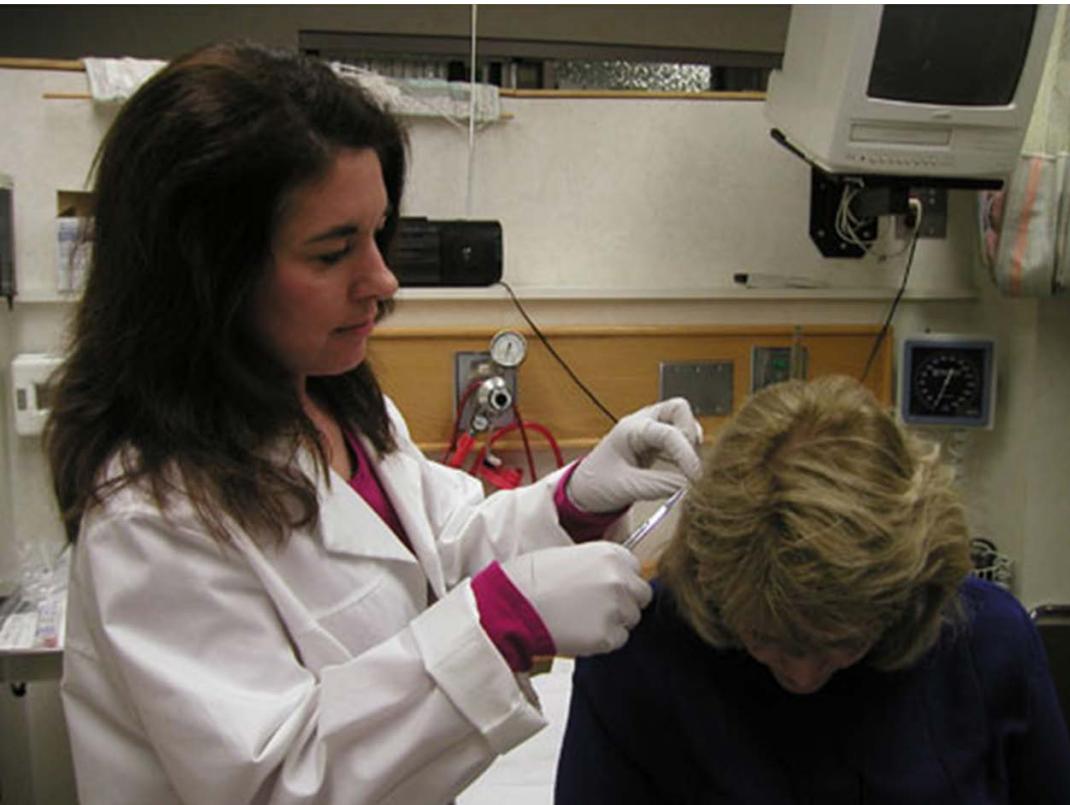
Universal precautions



Debris collection



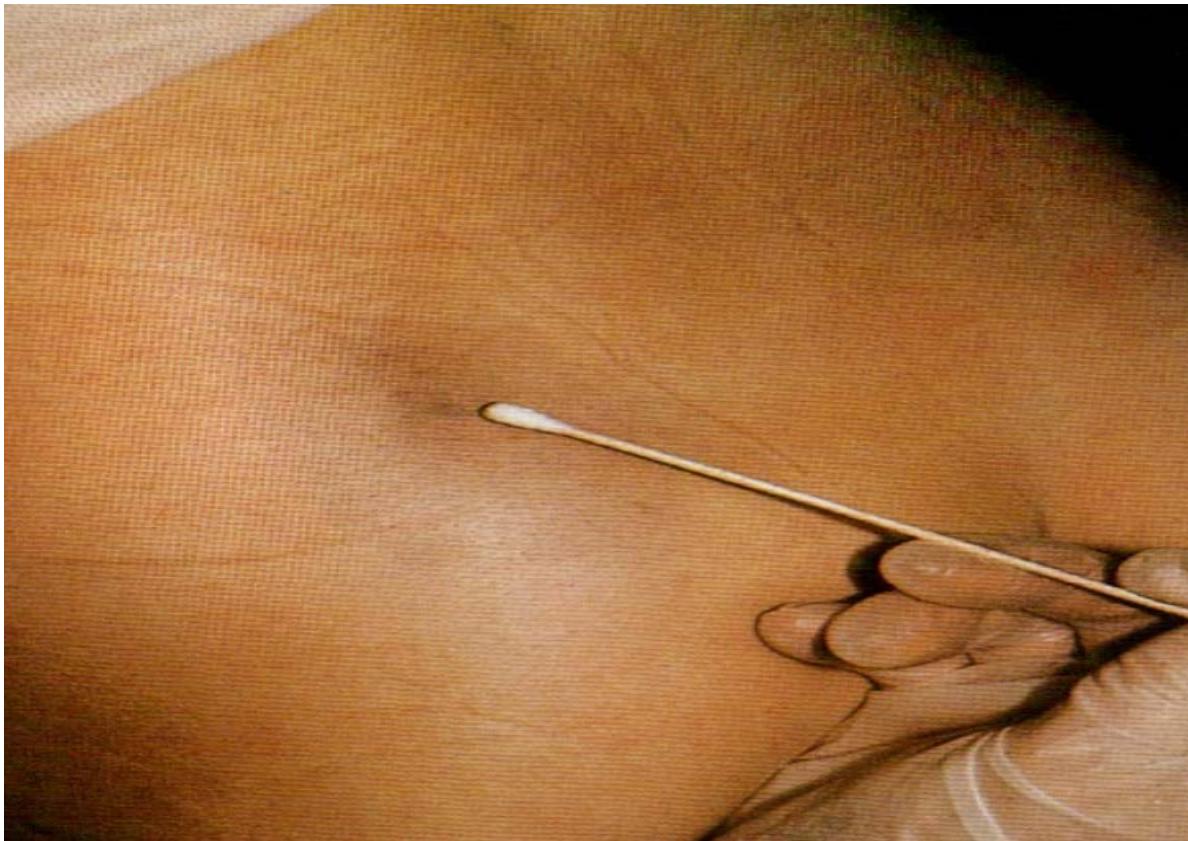
Head hair (known head hair)



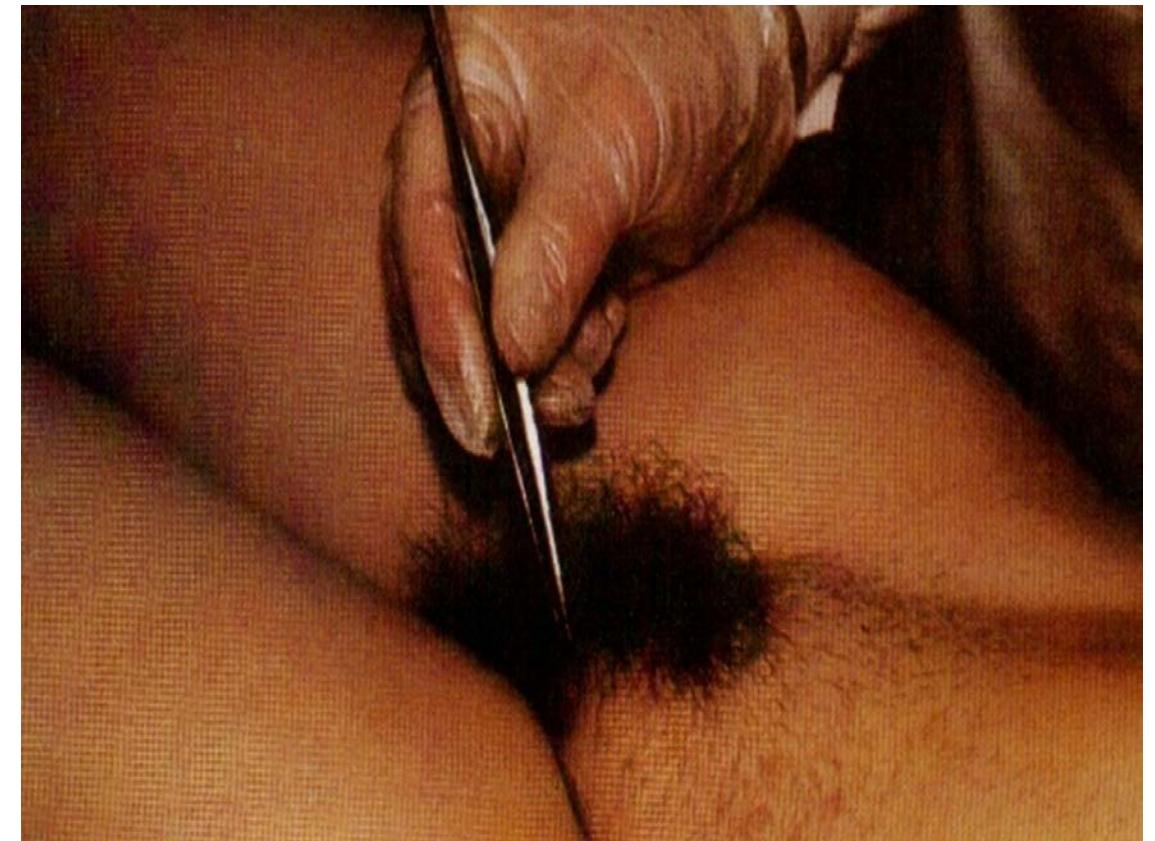
Nail scrapings



Stains of the body



Pubic combings & known pubic hair

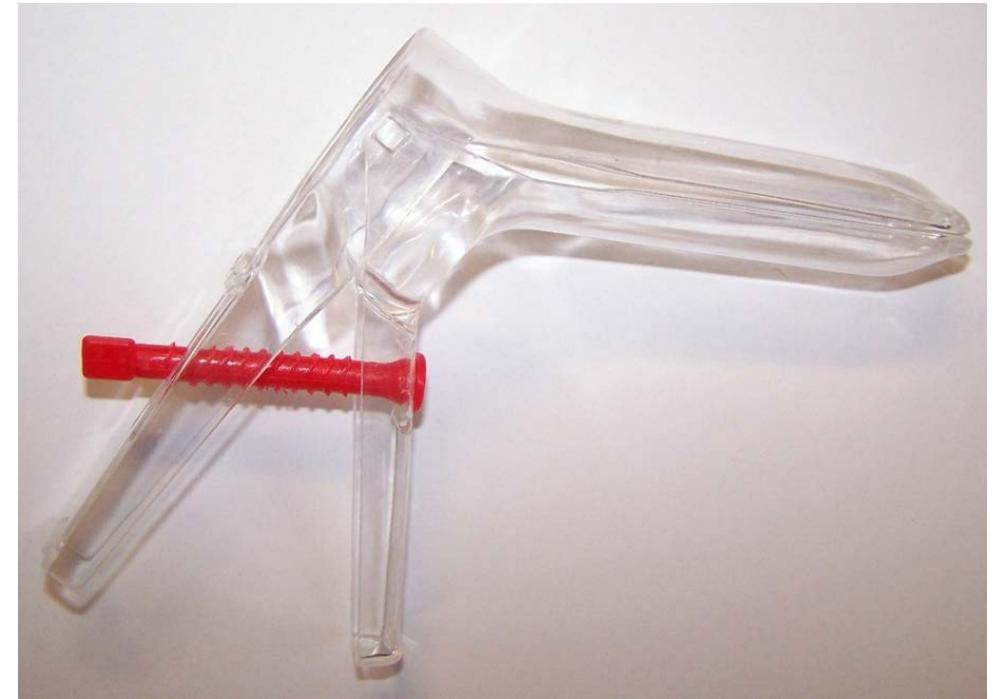


Genital swabs

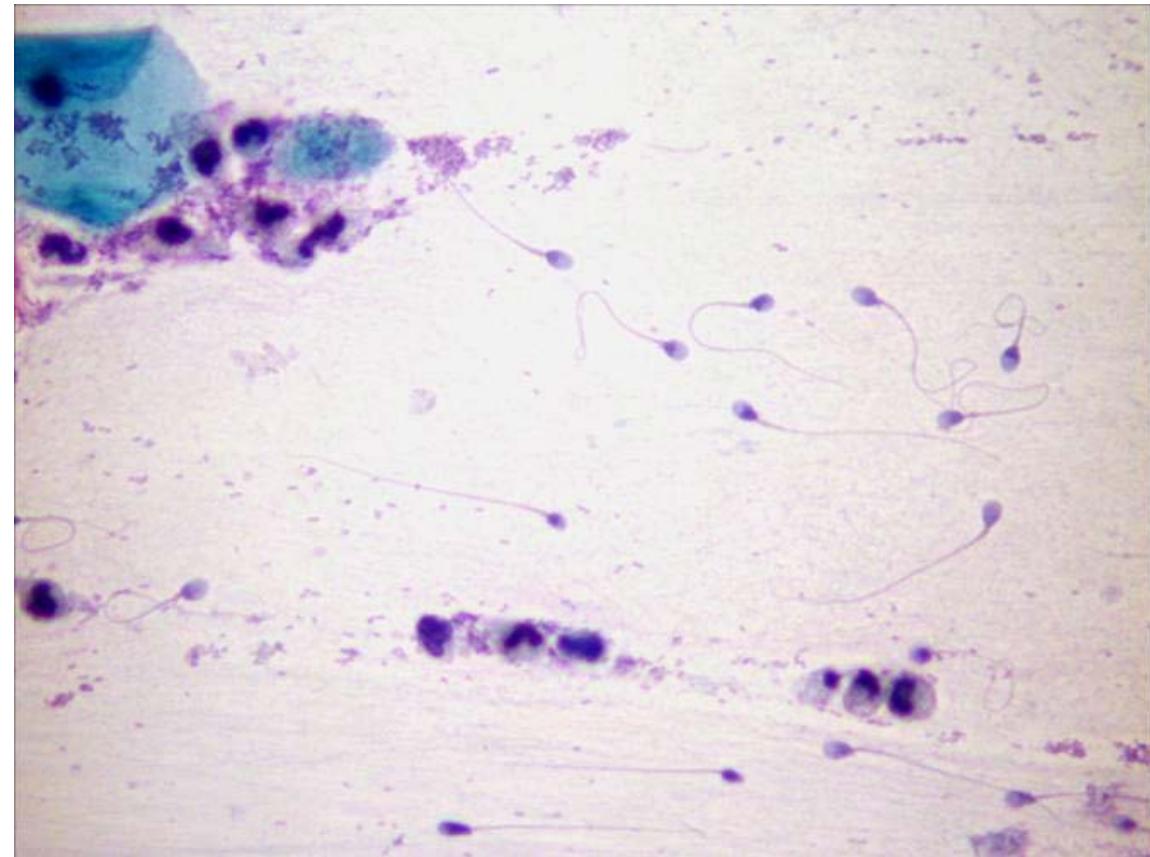




If 12 hours have elapsed since the assault, collect 2 swabs from the cervix.



Vaginal smear



Allegation of intoxication /drugs



Blood : 12 hours

Urine : up to 96 hours

Golden rules in evidence collection

Take all steps to avoid contamination during collection

- Universal precautions by the examiner (doctor/SANE)

Take steps to avoid cross contamination (perpetrator/victim)

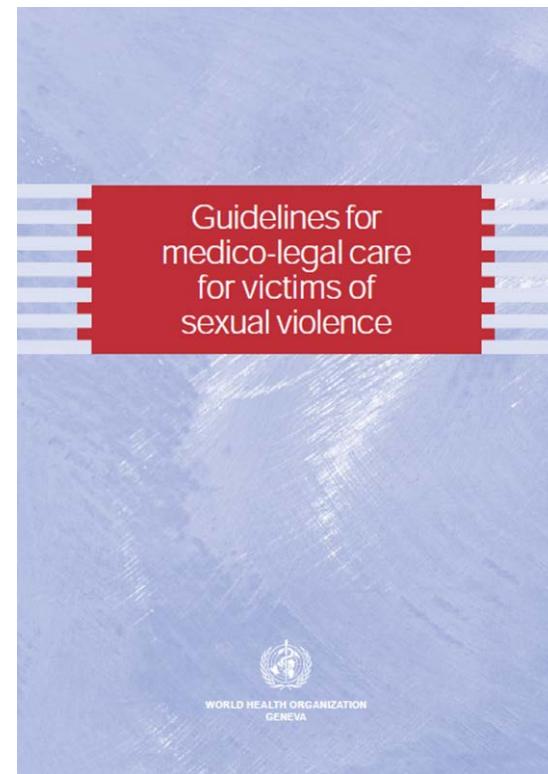
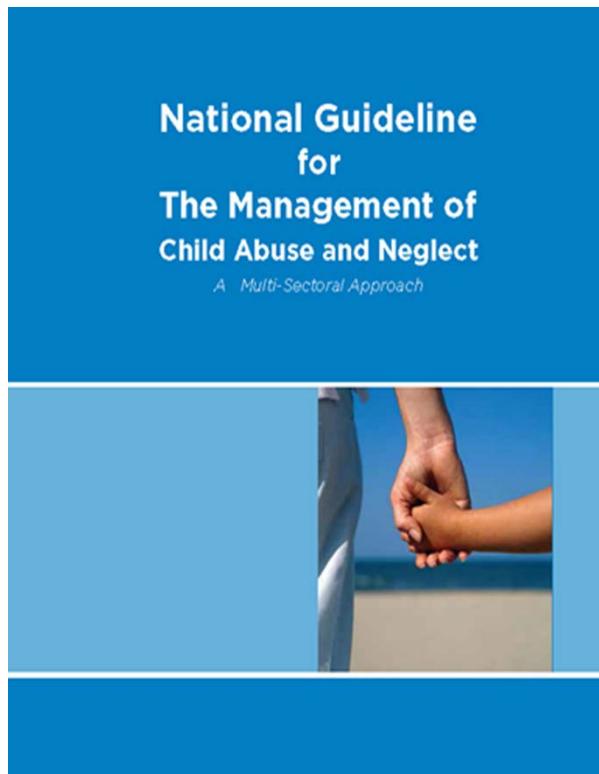
- Transportation, during examination

Maintain chain of custody (storage/ transportation/ lab)

- <https://www.youtube.com/watch?v=vRcR8s6oQtg>



Recommended reading



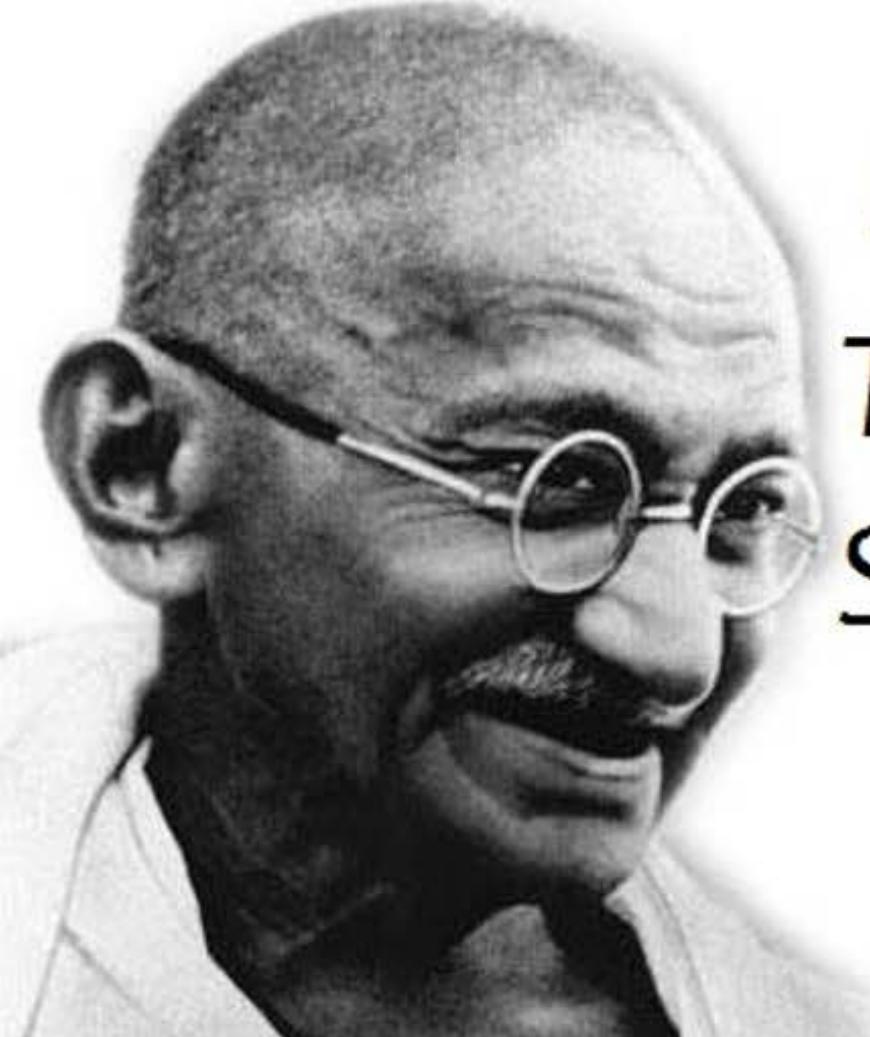
Summary

- ❑ Survivor concerns and human rights are top priority.
- ❑ The doctors should practice highest ethical standards
- ❑ Early incidents(72-96 hrs) collection of evidence is important.
- ❑ An incident within 72-96 hrs is a medico-legal emergency
- ❑ National guidelines enables an examiner to do a quality work



Develop an attitude of





Be The *Change*
That You Want to
See In The World.

