Physicians for Human Rights



Forensic Medical Certificate: Practical Guide

This practical guide contains key principles for conducting a forensic medical exam of sexual violence and provides practical tips for completing the forensic medical certificate.

Basic Principles

- All health professionals must abide by their Professional Code of Conduct, which includes ensuring survivors' safety and confidentiality and treating everyone with respect, without discrimination.
- Health professionals must provide survivor-centered, trauma-informed care.
- Effective prosecution of sexual violence depends on high quality medical and scientific evidence.

Examination Essentials

- Introduce yourself and anyone else who will be participating in the encounter
- Obtain informed consent (see next page for more)
- Sit at eye level with the survivor and maintain eye contact throughout the encounter
- Explain your reason for asking about traumatic events
- Explain each step of the examination and informed consent or assent before proceeding with each step
- Allow survivor as much control over the interview content as possible while also obtaining the necessary information
- Show compassion and patience. Avoid words that cast doubt about the survivor's experience
- Set expectations and explain the process at the outset
- Do not use medical jargon
- Document your findings objectively and legibly
- Apologize in advance for painful or intrusive questions
- Set up the room to be comfortable
- Allow breaks as needed
- Examine non-sensitive body parts first
- Use open-ended questions and pace according to the survivor's comfort (avoid seeming to interrogate)
- Stop at any time
- Interact with warmth and respect
- Examine your own biases about certain groups of people and be aware of your own personal reactions

Necessary Equipment

- A private room that promotes confidentiality
- Writing materials: pen, pencil, a computer or other digital means of capturing the information
- Disposable gloves
- Hand sanitizer
- Examination table and clean cover
- A speculum (various sizes): Only to be use when indicated and by trained professionals
- Exam light source
- Lubricant (as needed)
- Forensic medical certificates
- Physical Evidence collection materials: paper bags, tape
- Camera
- Ruler
- Good light source
- Dignity Drapes
- STI cultures, swab, samples slides, and sterile water if you will be taking DNA samples
- Bags (paper and plastic), envelopes, and tape for packaging evidence
- Chain of custody forms



Informed Consent

- Informed consent is critical to ensure an ethical process that preserves a survivor's autonomy and adheres to principles of justice and beneficence.
- You must obtain informed consent from every survivor prior to every encounter and document it in writing.
- If the survivor is a child, consent must be obtained from the child's parent or legal guardian.
- Informed consent applies to taking a survivor's history and performing a medical examination as well as
 disseminating the information obtained during the encounter to third parties (police, legal system, etc.)
- You must ensure that a survivor fully understands the benefits and risks of any actions before they sign the consent form.
- A survivor has a right to decline or refuse any actions, at any point, even if they've previously given consent to the actions.
- Ensure the survivor understands that declining a forensic examination or parts of it does not affect their access to legal proceedings but may affect the outcome.

History Taking

- Listen to the history without passing judgement on the survivor's narrative
- Build rapport with the survivor by asking about neutral topics first, to help put the survivor at ease
- During the assault history, offer emotional support and empathy
- Allow silence when needed
- Encourage detailed descriptions and ask for clarification about the incident
- The assault history should include:
 - Date, time, and location of assault
 - o Name, identity, number of assailants, and relationship to survivor (if known)
 - Detailed account of violence
 - Risk of pregnancy and STI
 - Methods used: weapons, threats, restraints, etc.
 - Voluntary or involuntary use of substances (medications, drugs, alcohol, inhaled substances)
 - o Injuries that occurred during assault
 - o Post-assault hygiene and behavior
 - Note behavior and effect of survivor during the history documentation
 - o Determine history of vaginal/ anal / oral penetration by offender's penis, finger, or objects

Physical Exam

- Assess the survivor's mental state by observing their behaviors before you begin your examination and history-taking.
- Document your findings of the survivor's mental and behavioral state. The psychological assessment is as important as
 the physical exam as it may produce crucial evidence
- Be gentle, explain everything, and do not do anything without consent. Continually seek verbal consent throughout the exam.
- Only expose the area under examination; Do not have the patient fully or partially undress if not necessary.
- Follow a head-to-toe exam flow. Perform an anogenital exam as needed and based on the history.
- Begin with uninjured body parts
- Include mouth and dental examinations, as well as ear canals, and bottoms of feet
- Document and describe all injuries in a systematic manner. That should include: [SPECL SCAB mnemonic]: Size, Pattern, Elevation, Color, Location, Shape, Consistency (hard, soft, fluid filled), Border. [[LEST CABS: Location & distribution (symmetrical, flexures/extensors, etc.); Erythema; Surface Features (crusting, rough, smooth, scaly, warty); Type (macule, papule, ulcer, vesicle); Color; Arrangement (single, multiple, grouped, linear, etc.); Border & shape (well defined, round, irregular, etc.); Special Sites (scalp, mouth, nail, etc.)
- A child should never be examined against their will, regardless of age.
- Consider anesthesia if a child is in too much pain and/or is unable to relax and be examined. Consider the risks of
 general anesthesia versus the benefit of the examination under anesthesia and the best interest of the child.
- Be aware that hymeneal examinations often have non-specific findings. Perceived anomalies of hymeneal tissue may not offer "proof" of sexual assault.
- Adult exam techniques such as the use of stirrups or specula, are often traumatizing for children and adolescents.
 Specula is traumatizing for pre-pubertal children and can be for the post-pubertal children as well. A catheter can only be used in pubertal children and are not traumatizing, if explained properly to the young person.

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Evidence Collecting Tips

- Wear gloves at all times and ensure that specimens are not contaminated by other materials.
- Collect forensic specimens as soon as possible, ideally within 72 hours of the assault.
- DNA found in blood, saliva, or semen, can persist up to:
 - 48 hours in the mouth
 - o 72 hours in the anus
 - o 7 days in the vagina in pubertal females
- As usual, the earlier the better. Health workers should check with their local laboratory for specific guidance
- Specimens must be packed, stored, and transported correctly, in sealed envelopes documenting chain of custody.
 They should be secured and entrusted only to authorized people.
- Details of transfer between individuals and handling should be recorded in a chain of custody form. All specimens must be clearly and accurately labeled with survivor's name and DOB, and the health worker's name, type of specimen, and date and time of collection. Include what specimens were collected in the survivor's medical notes.

Laboratory and Diagnostic; Point-of-Care Treatment

- It is best practice to collect laboratory specimens (especially genital or vaginal) at the time of the exam. Avoid sending a survivor to the laboratory for genital specimen collection.
- Collect any necessary laboratory tests based on the history or national guidelines: Pregnancy Test, HIV, Hepatitis B/C, Gonorrhea, Chlamydia, syphilis, urinalysis, etc.
- Provide the survivor with post-exposure prophylaxis based on your local guidelines.
- Provide post-exposure/emergency contraception based on local guidelines.
- Do not forget to follow up on the lab results and necessary management plans.

Affidavit and Conclusion

- A complete affidavit includes the survivor's history, physical examination, injury description, assessment and interpretation of the findings and conclusions
- Use Istanbul Protocol (IP) language for your interpretation about the consistency of the exam and medical evidence with the survivor's reported history and allegations:
 - 1. Not consistent with: the injury could not have been caused by the trauma described
 - <u>Consistent with</u>: the injury could have been caused by the trauma described, but it is non-specific and there are many other possible causes
 - 3. <u>Highly consistent with</u>: The injury could have been caused by the trauma described, and there are few other possible causes
 - 4. Diagnostic of: the injury could not have been caused in any other way than that described

Next Steps

- Connect the survivor to local legal and law enforcement services if they so desire.
- Connect the survivor to local mental health and psycho-social support services.
- If the survivor elected to pursue a legal course of action, maintain close contact with law enforcement and legal experts related to the case.
- Write a comprehensive medical affidavit.
- If requested, provide testimony in court.



If the survivor is a child, label civil status as "non-applicable".

Threats to others may include murder, sexual assault, or other crimes committed against children, siblings, parents, partners, friends, community members of the survivor.

République démocratique du Congo
CERTIFICAT MÉDICO-LÉGAL D'AGRESSION SEXUELLE
Document Confidentiel

Date de l'examen / /	à heures	Lieu de l'examen :				
A. INFORMATION SUR LE / LA PATIENT(E)						
1. Nom	2. Post-nom		3. Prénom (s)			
4. Adresse			6. Sexe	Masoulin		
Date de naiscance /	7. Åge (declaré par le /	la patient(e)	8. Lieu de naissance	☐ Ne salt pas		
8. Etat olvil			□ Séparé(e)	☐ Non applicable		
Noter: SI le patient est de sexe masculin, s			□ sebare(e)	☐ Non applicable		
Date des dernières régles	auter juoqu'à la questi	orriumero 14.				
/ /	☐ Non regiée	☐ Ménopausée		☐ Ne salt pas		
11. Nombre de grossesses	12. Nombre de naissar	noes vivantes	13. Actuellement enceln	te		
			Oul Non	☐ Ne salt pas		
14. Le / la patient(e) a eu un rapport sexuel			date de l'examen			
COUI CN						
 Le / la patient(e) a subi des blessures an 80 jours qui ont précédé l'agression, sui 				dical au cours des		
Oul ON						
16. La date et l'heure de l'agression		17. Lieu de l'agression	1			
:_	Ne salt pas			☐ Ne salt pas		
18. Utilisation de force, de menaces ou d'an			_			
Force physique Armes Menac		e) Menaces contre	tiers Pas de force	☐ Ne salt pas		
19. Type de force / armes (cocher tout ce qui s'e ☐ Bâtons ☐ Couteaux ☐ Bandeai						
		art pas Li Autre (tel que témoig	la nudité forcée, la suspensior nage ou participation dans le to	n, le torture electrique, orture des autres, etc.) :		
☐ Pictolets ☐ Contraintes ☐ Bâlilon	Pleds					
20. Intoxication chimique invoicntaire du / de la patient(e) (cocher tout ce qui s'appique) Non						
B. INFORMATION SUR LE(S) SUSPE	ECT(S)					
Nombre de suspects	_					
Un (1) Deux (2) Trois (3)		Si « plus de trois,» précis		☐ Ne salt pas		
Premier Suspect: répondre aux que		Deuxième Suspect répondre aux questions 7 à 11				
2. Relation entre le suspect et le / la patient(e		7. Relation entre le suspect et le / la patient(e)				
☐ Connaissance ☐ Membre de la far	nille	Connaissance	☐ Membre de la famili	•		
☐ Étranger ☐ Partenaire intime	e / Ex-partenaire	Étranger	☐ Partenaire Intime / E	Ex-partenaire =		
☐ Ne calt pas ☐ Autre :		☐ Ne salt pas	Autre :			
3. Sexe du suspect	☐ Ne salt pas	8. Sexe du suspect Féminin	Macoulin	☐ Ne salt pas		
4. Åge approximatif du suspect	☐ Ne salt pas	9. Åge approximatif d	u suspect	☐ Ne salt pas		
Le cuspect est un: Civil Policier Militaire Milit	la Ne salt pas	10. Le suspect est un:	er 🗆 Militaire 🗀 Militia	☐ Ne salt pas		
8. Langue(s) pariée(s) par le suspect		11. Langue(c) pariée(c) par le suspect			
	☐ Ne salt pas			☐ Ne salt pas		
Si trois suspects ou plus, compléter la question 12.						
 Déorire les auspects en défail (préciser leur relation avec le / la patient(e), leur sexe, leur âge approximatif, si les suspects sont des policiers / militaires / rebeiles, la langue pariée, etc.): 						
Nom du clinicien N°C.N.O.M.						
Signature du clinicien	page	1 sur 4 Date		I		

This information is necessary to properly interpret biological findings. There may be residual semen and sperm if the survivor engaged in consensual sex prior to the examination.

Record all details of suspect from previous sections in section 12 including language, relation to survivor, age, and sex.

Reminder: Complete patient identification and clinician information on every page legibly. Any mistakes need to be crossed out with the proper word written next to it and initialed. Any changes or additions to the document should also be crossed out with correct information next to it, initialed and dated. Sign and date every page.

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Examples include but are not limited to a survivor nonconsensually engaging in oral copulation/oral sex, kissing, licking, sucking of a third party's genitalia.

Examples include but are not limited to rubbing, fondling, groping, stroking that is non-penetrative to the genital region.

LA	PATIENT(E)			
Oul	Non	Tenté	Ne salt pas	Commentaires :
Oul	Non	Tenté	Ne salt pas	Commentaires :
Oul	Non	Tenté	Ne salt pas	Commentaires :
Oul	Non	Tenté	Ne salt pas	Commentaires :
Oul	Non	Tenté	Ne salt pas	Commentaires :
Oul	Non		Ne salt pas	Commentaires :
A PAT	IENT(E)			
s'appliqu	re)			
dents	s'est douch	ė(e) 🗆	a pris un bain	a uriné a changé d'habits
LA P	ATIENT(E)			
		ter des paç	es additionnelles cor	ntenent le récit du / de le petient(e) de
atlent(e)		ter des paç	vas additionnellas cor	ntement le récit du / de la patient(e) de
	Out Out	Oul Non Oul Non	Oul Non Tente	Oul Non Tenté Ne sait pas Oul Non Tenté Ne sait pas

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Examples include but are not limited to a survivor nonconsensually engaging in kissing, licking, sucking of a third party's perianal area or anus.

If a survivor has bathed, showered, or douched, samples should still be collected to attempt to preserve any biological or trace evidence.

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☐ Muet(te)

Anxieux

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☐ Tricte

☐ En pleurs

SE RAPPELER DE: RAMASSER LES PREUVES (sécrétions humides et séches, faches, vétements et objets étrangers du corps du / de le patient(e) ;
D' UTILISER LE KIT DE VIOL (si disponible) ET LE FORMULAIRE DE LA CHAINE DE TRAÇABILITÉ ; ET DE PRENDRE DES PHOT

☐ Peureux / peureuse ☐ Renfermé(e)

☐ Choquê(e)

Fåohé(e)



Abrasion (scrape): superficial wound in which the outer layer of skin is scraped off, caused by rubbing or scratching, the loss of a partial thickness of skin against a rough surface. There are different types of abrasions including scratches, imprints, and friction.

<u>Laceration:</u> a wound made by tearing of body tissues; resulting from blunt force such as a bottle or pipe.

BB

F. EXAMEN PHYSIQUE GÉNÉRAL DU DE LA PATIENT(E) (suite)

AC

AB

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ΒÉ

s et / ou trouvés

D

☐ Autre

DF

EC

ΕN

fire, heat, cigarettes, electrical sources, chemicals, or branding. They can result from direct trauma or torture or secondary to punishment. Burns may heal quickly and develop secondary

infections and serious scarring.

Burn: may be from

Incision: A cut or injury that has well-defined edges made by a sharp object such as a knife or razor or broken glass.

Obtain permission at

The most sensitive

areas (anogenital

exam) should be

examined last.

Remember all

unnecessary individuals should be removed

each point in the exam.

. EXAMEN GÉNITAL (FÉMININ

liser la légende figurant en haut de page pour identifier et localiser sur les schémas ci-contre les élémen servés l'houvés lors de l'examen génital. Examiner l'intérieur des cuisses, l'appareil génital et la sphére indale (coden le saus ail y a los éléments raistit à una agrassion).

١.	Blessure à l'Intérieur des oulsses	☐ Oul	□ Non	9. Blessure au vagin	
2.	Blessure au méat urétral / périurétral	Out	Non	Oul Non	
3.	Biessure au périnée	☐ Oul	Non	10. Blessure au col de l'utérus	
ŧ.	Biessure aux grandes lévres	□ Oul	□ Non	Oul Non	
5.	Blessure aux petites lévres	□ Oul	□ Non	11. Position pendant l'examen	
8.	Blessure à l'hymen	Oul	Non	Couché(e)	
7.	Blessure au ciltoris / sphère alentour	□ Oul	□ Non	Genoux our politrine	

H. EXAMEN GÉNITAL (MASCULIN)

tiliser la légende figurant en haut de page pour identifier et localiser sur les schémas ci-contre les éléments bisenés / trouvés lors de l'examen génital. Examiner l'intérieur des cuisses, l'appareil génital et la sphère étrificale (coche la casa el 1) et de éléments reinté à une agression.

irinéale (co	ocher la case s'il y a des éléments relatifs à une agression).	,		
l. Blessu	re à l'intérieur des ouisses	Oul	Non	
Bleccu	re au gland ou pênis	□ Oul	Non	
. Blessu	re au sorotum	Oul	□ Non	
. Bleccu	re aux tectioules	□ Oul	Non	
i. Le pati	ent est-II olroonois	Oul	Non	
. Blessu	re à la marge de l'anus / fesses / pils ou orêtes	Oul	Non	
. Saigne	ment rectal	□ Oul	Non	

Nom du oliniolen

1

from the exam room.

Obtain permission even if it was obtained earlier in the exam. Use a privacy drape. Be mindful of verbal and nonverbal cues for dissent and stop exam accordingly.

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Ecchymosis (bruise or contusion): a blunt force injury that occurs when blood vessels in the skin or internal organ are ruptured; the site, shape, size, and severity of bruising vary. Note: age of a bruise cannot be determined, shape does not always reflect object used, size does not always reflect extent of injury, and bruising spreads.

Describe the site, size, shape, surrounding area, color, course, age, borders, depth, and classification of any injuries.

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Survivors must receive repeat testing for VIH, Syphilis, and Hepatitis B if they are tested too close to the assault. It can take up to 3 months for these infections to become identifiable.

Consistent: the injury could have been caused

by the trauma described,

but it is non-specific and

there are many other

Highly Consistent: the

injury could have been caused by the trauma described, and there are few other possible

Specific: this injury could

not have been caused in

any other way than that

Not consistant: the injury

could not have been

caused by the trauma

possible causes.

causes.

described.

described.



Emergency contraception: IUD (up to 5 days after sexual contact), Ulipristal (up to 5 days after sexual

contact),

contact).

Levonorgestrel (up to 3 days after sexual

Remember each

know what has

happen next.

happened to them and what should

survivor has the right

to decide who should

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Reminder: Complete patient identification and clinician information on every page legibly. Any mistakes need to be crossed out with the proper

NºC N.O.M

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word written next to it and initialed. Any changes or additions to the

Most examinations are without abnormal physical examination findings. The absence of psychological and physical exam findings does not mean that the exam is inconsistent with a history of sexual

violence.



Physicians for **Human Rights** For more than 30 years, Physicians for Human Rights (PHR) has used science and the uniquely credible voices of medical professionals to document and call attention to severe human rights violations around the world. PHR, which shared in the 1997 Nobel Peace Prize for its work to end the scourge of landmines, employs its investigations and expertise to advocate for persecuted health workers and facilities under attack, prevent torture, document mass atrocities, and hold those who violate human rights accountable.