Forensic Nursing: An emerging speciality

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Abstract

Forensic nurses provide compassionate care to victims of violent crime, abuse, or neglect while gathering evidence to support law enforcement. By doing this, they play a vital role in both our healthcare and criminal justice systems. Forensic nurses may also help their communities by working side by side with pathologists and coroners to identify accurate causes of death and ensure accurate reporting of vital statistics and epidemiology trends. Forensic nurses bridge the gap between law and medicine by working with victims of crimes to gather medical evidence and provide expert testimony that can be used in court.

Introduction

The practice of nursing all over the world at a point where the legal systems and the health intersect with each other is known as forensic nursing. It is defined as the application of process of nursing to civil as well as legal proceedings along with investigation of death or trauma in a scientific context which may be due to criminal activities like abuse or any kind of violence.

Clinical forensic medicine was the term which was used before the implementation of forensic nursing. In forensic nursing clinical practices are used in order to support the judicial proceedings for the protection of victim and in death cases. Virginia Lunch was the first person who emphasised that there should be collaboration between the medical and legal systems thus she helped to form programmes related to forensic nursing with respect to its proper education in the United States. In 1980s forensic nursing was born out to fulfill the need for the combination of law and medicine because it is very important to build a case in legal context which is solely dependent on evidence, which should be preserved during the treatment of a victim. [1]

A forensic nurse is a person who has received specific education along with training in the nursing stream, registered by government. Moreover, he/she also provides consultation and testimony for civil and criminal cases in the court of law that are related to nursing practice. Thus, the role of a forensic nurse is not only limited to forensic medicine but is also linked with the criminal justice system when dealing with a victim of violence. According to Joe Biden, “An integral role is played by forensic nurses in bridging the gap between medicine and law. There should be at least one forensic nurse in each and every emergency room.” Nurses also possess a good knowledge of psychology and crisis involvement with patients, have social skills and have the ability to handle specimens, protection of evidence from being contaminated and maintaining infection control. With the rapid expansion of forensic nursing field, the International Association of Forensic Nurses has stated that forensic nurses should own heterogeneity of skills including specialized knowledge injury identification, legal system and evaluating situations as they may be called to testify in court. [3, 4]

A forensic nurse gives treatment to the patients who are injured and are victims of violent or sexual crime or Accidental deaths for the determination of cause of death. Collection and recording of evidence is also done by forensic nurses which helps the law enforcement agencies to find the perpetrator and prosecute them. The first and foremost task of a forensic nurse is looking for an indication of an attack and if the detection is positive for occurrence of any kind of crime, then there are certain things that a forensic nurse does like:

1. Making the patient calm and reassured following the evaluation of the injuries and providing care if needed.
2. Collection of samples which can act as crucial evidence like tissue sample blood sample or any serological fluid etc.

3. Moreover a forensic nurse also document all the injuries like cuts, wounds, bruises, scratches in the form of photographs and making notes.

The job of forensic nurse is not only limited to the hospital but they can also be present in correctional facilities, schools, trauma centers, psychiatric departments, medical examiner’s office or coroner’s office etc. Similarly the job of forensic nurses is not only confined to care for victims of crime but is also extended to taking care of prisoners in correctional facilities as a large number of the present population is entering at the later stages of life. So, there is a need of the forensic nurses to give treatment for chronic conditions. Moreover, along with that their responsibilities also include performing regular checkups, treating acute illnesses and educating the prisoners about their health. Forensic nurses also evaluate and treat the criminal offenders that are admitted to the state facilities by court order before they returned to the court for sentencing. In schools, they intervene and notify the authorities if there is any case of abuse or neglect faced by any of the student in the school along with educating the students about prevention of violence. Forensic nurses also work trauma centers in the team of healthcare professionals as they understand the legalities of the nation of organs and a medical criteria behind them and also Know how to provide emotional support to the distressed patients and their families. [1, 3]

Like other branches of forensic science, forensic nursing has also its specialties like legal nurse consultant, forensic psychiatric nurse, correctional nurses specialist, legal nurse consultant, corner or death investigator, forensics psychiatric nurse, sexual assault nurse examiner etc.

A correctional nurse specialist is a person who provides health care to imprisoned adults and juvenile offenders by administering them care, conducting the regular physical examinations and dispensing them medications. Legal nurse consultants work with attorneys on civil cases that criminal cases that connects medicine and law.

Forensic nurses elucidate and examine medical information that pertains to a legal case and the cases related to medical malpractice, personal injuries, workers compensation etc. Crime scenes are investigated by coroner or forensic investigators and in cases of suspicious death, the analysis of the location for the estimation of time since death and cause of death is also done by a Nurse corner. Forensic nurse investigators work in collaboration with coroners to investigate unexpected accidental or violent deaths for determining the cause of death. Also, evidence collection from the crime scene, study the body and assisting in autopsies is also done by forensic nurse investigators. The criminal offenders who have social psychological and behavioral disorders are treated by forensic psychiatric nurses in rehabilitative care. Along with that forensic psychiatric nurses also help the victims to heal emotionally and medically. The nurses who give care to the victims of sexual assault cases especially rape cases are known as sexual assault nurse examiners. They gather evidences that can be used to arrest and prosecute the accused by presenting the evidence in court of law and by acting as an expert witness in sexual assault cases.

The first person to be contacted in the hospital is obviously the nurse who attends to the victim. SART is the multidisciplinary team that provide services to the sexual assault victims. It has the capability to provide comprehensive services with full range to the victims who have decided to report the case of sexual assault. SARC provides coordinated medical and forensic counseling and after-care services to persons of all genders and ages. Nursing consists of estimating, organization, execution and evaluation which is applied to forensic investigations creating three different parts which are:
1. Death investigation

2. Proving care to survivors of the decedents and their families

3. Effects on the community

Under roles and responsibilities of a forensic nurse, the foremost is utilizing scientific methodologies and principles in the identification, recording, gathering and elucidation of evidence related to injuries or diseases and from any type of the crimes that may be suffered by all manner of the times. According to law of progressive change, the biological evidence degrades with the passage of time. So, it is required that the forensic examination of the victim must be done as early as possible. Ultimately the forensic nurses must be accessible and ready to work and respond to a case as early as possible i.e. approximately within an hour. Depending upon their physical conditions, some victims directly report to clinics or hospital emergency rooms while some victims are transported by the police or emergency medical services and some are transported by friends and families after the initial report to law enforcement agencies. Once the report to the police has been lodged, and the victim reaches hospital, forensic nurses and assisting persons should begin the examination by first obtaining consent then taking biographical information on medical history and eventually the history of events directing up to and surrounding the crime. In case of consent forms, all of the forensic medical examination procedure is explained to the victim including the requirement of evidence collection from patients regardless of their age like urine sample collection for drug testing, blood sample collection for serological purposes and use of medical diagnostic tools like colposcope for any kind of injury identification, forensic photography for documentation process etc. The victim has to give his or her initials at the consent form if he or she is a major. But if the victim is a minor, then the parents or guardians will need to sign in his or her place. Depending upon the factors like age, gender, physical and mental health history along with current status, ethnic and cultural beliefs and practices, sexual orientation, history of previous victimization, past experience with the criminal justice system, prior relation with the suspect etc., each and every victim will respond and react to the forensic examination procedures differently for which forensic nurses and the assisting staff should be sensitive to these things and thus they should be supportive with them. In case of intake form, information like the time and the date of the examination the name of the foreign signals examiner and anyone who assisted the nurse patient’s name and other information related to him or her including contact numbers and mailing address, family/guardian information, collaborating with law enforcement agencies to get information about suspect if available and a brief history of sexual assault examination is noted down. In case of the forensic interview, taken by forensic nurse with the victim, medical history or history of any drug abuse or history of behavioral or emotional symptoms and menstruation is also noted down.

Then physical examination of the victim is done in which documentation is done by taking full body photos along with obtaining a full set of vital signs including the height weight body mass index blood pressure pulse temperature and respiration of the victim is also documented along with mental status. I’m headed to toe examination of the body if any kind of injury whether minor or major is phoned and cancelled as evidence is also documented along with its location on the body. [3, 4]

Indian scenario of forensic nursing and its need

Section 164(A) of Code of Criminal Procedure, India, explains the requirements as per law for the medical examination of the rape victim by a registered medical practitioner who should be a female doctor and in case if a female doctor is not accessible at the time of examination, it can be done by the male doctor in the presence of a female attendant. Also, if the victim is a minor then the examination should be conducted in the presence of his or her guardian or with any person the victim is comfortable with. But it has been observed that majority of the health care centers have multiple tasks to so thus they are not readily available for processing the examination of
the victim which results in loss of time and it can result in loss of crucial evidence. It has also been observed that in the curriculum of nursing, content related to forensic nursing is limited even in the higher institutes of India like PGIMER (Chandigarh) and AIIMS (New Delhi) which should be there according to WHO. Skills related to forensics photography, training and procedures like taking medicolegal history, counseling the victim or guardian, taking consent from the victim, and his/her evaluation for STDS that can be transmitted during sexual abuse, procedures for the collection of evidence, documentation etc. should be present which are required forensic nurse to appear himself/herself in the court and understanding the legal issues related to expert testimony, burden of proof in legal proceedings etc. Forensic nurse also must be well-known with procedures of tissue and organ donation and counseling of victims. [2]

Forensic nursing is a highly active field globally with the evolution and practice role that are continuously developing and taking steep all over the world but in India for a nurse, this normal practice is a barricade to fully implement being a specific practice position. Forensic nurse will surely cover the gap by acting as a bridge between the healthcare system and criminal justice system.

References


