

Annex 2: Sample consent form

Notes on completing the consent form

Consent for an examination is a central issue in medico-legal practice. Consent is often called “informed consent” because it is expected that the survivor (or their parent(s) or guardian) will receive information on all the relevant issues, to help the survivor to make a decision about what is best for them at the time. It is important to make sure that the survivor understands that their consent or lack of consent to any aspect of the examination will not affect their access to treatment and care. The health-care provider must provide information in a language that is readily understood by the survivor or their parent/guardian to ensure that they understand:

- ▶ what the history-taking process will involve;
- ▶ the type of questions that will be asked and the reason they will be asked;
- ▶ what the physical examination will involve;
- ▶ what the examination of genital and anal areas will involve;
- ▶ that the physical examination and the examination of genital and anal areas will be conducted in privacy and in a dignified manner;
- ▶ that during part of the physical examination, the survivor will lie on an examination couch;

- ▶ that the health-care provider will need to touch him/her for the physical examination and the examination of genital and anal areas;
- ▶ that an examination of genital and anal areas will require the patient to lie in a position where their genitals can be adequately seen with the correct lighting;
- ▶ that specimen collection (where needed) involves touching the body with swabs and collecting body materials such as head hair, pubic hair, genital secretions, blood, urine and saliva; that clothing may be collected; and that not all of the results of the forensic analysis may be made available to the patient and why;
- ▶ that they can refuse any aspect of the examination they do not wish to undergo; and
- ▶ that they will be asked to sign a form that indicates that they have been provided with the information and that documents what procedures they have agreed to.

Inform the survivor that if, and only if, they decide to pursue legal action, and only with their consent, the information told to the health-care provider during the examination will be conveyed to relevant authorities for use in the pursuit of criminal justice.

Sample consent form

Name of facility:.....

Note to the health worker:

After providing the relevant information to the patient as explained above, read the entire form to the patient (or their parent/guardian), explaining that they can choose to refuse any (or none) of the items listed. Obtain the signature of the survivor, or the thumb print of the survivor and the signature of a witness.

I, (print name of survivor)

authorize the above-named health-care facility to perform the following (tick the appropriate boxes):

	Yes	No
Conduct a physical examination	<input type="checkbox"/>	<input type="checkbox"/>
Conduct a genital examination	<input type="checkbox"/>	<input type="checkbox"/>
Collect evidence, such as body fluid samples, clothing, hair combings, scrapings or cuttings of fingernails, blood sample, and photographs	<input type="checkbox"/>	<input type="checkbox"/>
Provide evidence and medical information to the police and/or courts concerning my case; this information will be limited to the results of these examinations and any relevant follow-up care provided.	<input type="checkbox"/>	<input type="checkbox"/>

I understand that I can refuse any aspect of the examinations I do not wish to undergo.

Signature:.....

Date:.....

Witness:.....