

6. Forensic evidence collection Activity

Activity	Objective	Time	Resources required
Decision making on forensic evidence collection	Understand how to establish whether and when forensic evidence should be collected and what evidence should be collected	30 minutes	Print outs of scenarios

Decision-making on forensic evidence collection

Learning objectives for the exercise

- Understand how to establish whether and when forensic evidence should be collected and what evidence should be collected.

Time

30 minutes

Resources needed:

Print outs of scenarios

Instructions for facilitators

- Divide participants into small groups of 6–8. Depending on the number of groups, assign one scenario to each group.
- Instruct the participants to read the scenario.
Based on the scenario, the group should discuss the following:
 - What questions would you need to ask or what information would you need to determine how to proceed with the examination? Explain why.
 - What forensic evidence would you collect? Explain why.
- Document the responses to the questions

Participant instructions

- Work in small groups (6–8 persons).
- Read the scenario assigned to you.
- Based on the description, discuss in your group responses to the following questions:
 - What type of information would you need or what questions would you ask to decide whether or not to do a forensic examination?
 - What forensic evidence would you collect, and why?

Scenario 1

Bernice is a 12-year-old girl. She was brought in by her older sister, who found her crying at home. For several months now their 35-year-old uncle has been coming home in the evening to spend time with the family. Several times he has found Bernice alone while her parents have gone out in the evening to run errands. Bernice usually stays at home to finish her homework. Her older sister is in college and comes home late. Her uncle has been sexually abusing Bernice for some months. First it started as touching, then he kissed her and forced her to watch him masturbate. He threatened to harm her if she told her parents or sister. A few weeks ago, he forced her to have oral sex, and last evening he raped her vaginally. She has been facing sleepless nights, anxiety and nightmares but has been terrified to say anything, fearing he would hurt her. Finally, she told her sister the previous evening because she is experiencing pain in her vagina. Her sister brought her to the doctor first thing in the morning. She did not say anything to their parents because the man is their father's brother. Bernice and her sister are afraid of going to the police.

Scenario 2

Cham is a 70-year-old woman who lives with her daughter and son-in-law. She takes care of her grandchildren when her daughter and son-in-law are at work. There has been renovation work in the house, which has now been completed. Five days ago, on the last day of the renovation work, one of the workers entered her bedroom and forced her to perform oral sex while the children were playing outside. She has come to the clinic complaining of pain in her throat. She says she may want to go to the police.

Scenario 3

Helen is a 38-year-old woman living with her partner and three children. She recently suffered an accident and broke her leg. She is now using crutches to get around. While she was coming back from the market, a group of five men surrounded her and raped her repeatedly. They threatened her with a knife. She has pain in her abdomen, neck and pelvic area. They broke her crutch, but luckily a friendly woman who passed afterwards helped her home. She is afraid, but her husband accompanied her to the doctor two days after it happened. She may want to report it to the police when she is feeling better again. Her clothes were torn, but they brought them along. She has washed since it happened.

Scenario 4

Omar is a 9-year-old boy living with his mother and older brother. They are refugees who left their home country when war broke out. At present they are living with a family in the host country. The family has agreed to take them in temporarily until Omar's mother, Noor, finds a job. The three of them and the host family live in a small, crowded home in the city not far from the border. They are lucky to have found shelter with this family because many others who left their homes are living in camps. One day Omar was at home while Noor had gone out in search of work. The host family has an 18-year-old son, Zaid. Omar was alone with Zaid. Zaid and his classmates were hanging out and decided to tease and bully Omar. Eventually Zaid raped Omar, while his classmates watched and egged Zaid on. Omar was terrified and didn't say anything to anyone for nearly a week because he was afraid that he and his family would be thrown out of their host's house. Zaid has been taunting him whenever he thought no one would hear or see. Omar has become withdrawn, not speaking much, crying out with nightmares at night. Last night he had a fever, and finally his mother became anxious and brought him to a doctor in the camp who examined him. The doctor in the camp suspected something more, but because she was busy, she referred him to a nearby hospital. It has been a week since this incident happened.

Discussion

Ask the group:

Was the exercise easy to do? What was difficult?

What type of examination would they do, based on the scenario?

What would they do if the survivor did not want to go to the police?

Ask each group to explain their decisions and responses and the forensic evidence samples they would collect.

Key messages:

- Collect forensic evidence only when all 4 conditions are met:
 - Survivor wants to go to police or it is mandatory.
 - Within seven days after assault.
 - Provider trained in forensic examination.
 - Forensic science lab available.
- A separate consent is needed for a forensic examination.
- Assault history should guide forensic evidence collection.
- The time elapsed and activities after the incident will determine whether evidence can be found.
- Storage that avoids contamination, labelling and detailed documentation are essential.
- Health-care providers may need to provide testimony. They cannot conclude whether evidence points to rape. That is for the courts to establish.

Adapted from WHO (2019) Caring for women subjected to violence: A WHO curriculum for training health-care providers