

RAPED: WHAT NOW?

A Guide for Survivors of Sexual Offences in Health Facilities

Reception

- Victims of sexual crimes may not be sent away.
- Police must open case at facility.
- If no case is opened, procedures stay the same.
- Open a file: ask for assistance if any problems.

What is regarded as emergencies?

- Survivors within 72 hours of the incident are regarded as a medico-legal emergency.
- When presenting after 72 hours since the incident, patients will receive an appointment.

What to expect while waiting?

- Survivors of sexual crimes spend waiting in a private area.
- No contact with perpetrators will be allowed.

Which urgent treatment must be provided?

- Serious injuries must be treated.
- Serious medical problems must be addressed.
- Prevention of HIV medication must start as soon as possible.

What can be done to keep the survivor healthy?

- Prevention of HIV as soon as possible before HIV testing or an examination, but not later than 72 hours.
- Prevention of sexually transmitted disease.
- Prevention of pregnancy.
- Immunisation against Tetanus.
- Immunisation against Hepatitis B.
- Psychological management.

Do not:

- Urinate, if urinating cannot be avoided, a specimen for toxicology and one for pregnancy testing should be kept in a clean container.
- Change or clean panty. Panties can carry evidence.
- Clean or brush off clothes.
- Clean any part of body.
- Dispose of foreign material clinging to the body or clothes.
- Dispose of sanitary pads, tampons, condoms, nappies, tissue paper used for wiping genitals.
- Wash hands or clean nails.
- Wash genitals.
- Wash areas licked, kissed, sucked or bitten.
- Clean areas with any body fluids deposits.
- Comb or clean matted hair.
- Remove stains.
- Brush teeth.
- Eat or drink anything.

What must be reported during waiting time?

- Vomiting of medication.
- When urination cannot be avoided.

What questions will be asked?

- Health status and information of before the incident
- Details of the incident.
- Any action taken after the incident.
- The questions may be extremely personal and the survivor has the choice of where the information may go and whether he/she wants to answer it.

Which consent is required?

- Treatment
- History
- Examination
- Collection of specimens
- Investigation of specimens
- Taking of photographs
- Documentation of findings
- Release of findings
- Performing HIV tests
- Performing pregnancy tests
- Referral

More about HIV prevention:

- Must start within 72 hours
- Must test for HIV within 3 days or as arranged with health worker
- 28-day course, exactly like prescribed
- May cause side-effects: Nausea and vomiting, tiredness, flu-like symptoms
- Not proved to be harmful in pregnancy
- Not guaranteed to prevent HIV
- No unprotected sex blood or organ donation for 6 months
- HIV testing up to 6 months

What will happen during the examination?

- A top-to-toe, back and front general examination will be done.
- The anus and genital area will be examined.
- In cases presenting before the 72-hour deadline:
 - Specimens will be collected from areas where evidence may be found
 - An Evidence collection kit will be compiled
 - The kit will be handed to the investigating officer or kept safely for a month for the survivor to rethink if she/he wants a case to be opened.
- A magnifier (colposcope) may be implemented to give a better view and photographs may be taken.
- A stain may also be used on the genital tissues to be able to confirm injuries.
- The survivor may refuse any part of the examination.

“Nothing may be done without consent of the survivor”

Which general rules apply to consent?

- Consent is only valid if understood
- Consent may be withdrawn or partially withdrawn
- Consent may not be obtained by threat or coercion

Intoxication with drugs or alcohol:

- Does not change the procedure or waiting time.
- Does not give anybody the right to take advantage of another.

Previous sexual history is normally not used in courts against survivors

Emotional care:

- Counselling will be provided by a trained professional.

When no injuries are found, it does not exclude any allegation

What is the purpose of the medical examination?

- To establish health status.
- To detect injuries and treat as well as document it.
- To find objects or material from the crime scene on the body.
- To find DNA of the perpetrator on the body.
- To find traces of drugs if applicable.

Why is the repeat visit important?:

- To receive rest of treatment.
- To look for consequences and treat.
- To follow up HIV status.
- To look for sexually transmitted diseases.
- To manage possible pregnancy.
- To enhance emotional health.
- To have questions of survivor answered.

May the survivor know the HIV status of the perpetrator?

- The investigating officer may be asked to arrange the HIV testing of a perpetrator if:
- A case was opened.
 - The perpetrator can be found.
 - The incident happened no more than 90 days ago.

What will the examiner regard as evidence?

- Plant material
- Soil
- Stains
- Saliva
- Semen
- Any other evidence provided by the survivor.



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