

Clinical Practices - Adult Sexual Assault Forensic Examinations Conducted by Nurse Examiners

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Summary This policy directive sets out the implementation of the Sexual Assault Nurse Examiner program for NSW Health. The aims of this model are: to expand the pool of practitioners able to respond to the needs of victims of sexual assault; respond in a timely manner to the needs of victims of sexual assault particularly in rural NSW and; reduce the need for victims to travel excessive distances for forensic examinations.

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Applies to Area Health Services/Chief Executive Governed Statutory Health Corporation, Board Governed Statutory Health Corporations, Affiliated Health Organisations - Non Declared, Public Health Units, Public Hospitals

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Distributed to Public Health System, Community Health Centres, Government Medical Officers, NSW Department of Health, Public Hospitals

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This Policy Directive may be varied, withdrawn or replaced at any time. Compliance with this directive is **mandatory** for NSW Health and is a condition of subsidy for public health organisations.

**CLINICAL PRACTICES
ADULT SEXUAL ASSAULT FORENSIC EXAMINATIONS CONDUCTED BY
NURSE EXAMINERS**

1. INTRODUCTION

- 1.1 This policy directive sets out the implementation of the Sexual Assault Nurse Examiner (SANE) program for NSW Health. It has been developed with particular reference to the following:
- PD2005_607 *NSW Health Sexual Assault Policy and Procedures Manual (Adult), 1999 Revised*
 - *NSW Health Sexual Assault Investigation Kit and Medical Protocol (Adult)*
 - PD2005_206 *Handling of Medication in New South Wales Public Hospitals Policy* (formerly 2001/64)
- 1.2 The aims of this model are to:
- complement the service already provided by medical practitioners in NSW,
 - expand the pool of practitioners able to respond to the needs of victims of sexual assault,
 - respond in a timely manner to the needs of victims of sexual assault, particularly in rural NSW and,
 - reduce the need for victims to travel excessive distances for forensic examinations.

2. AUDIENCE

- 2.1 This policy directive is directed to all staff involved in the clinical management of adult victims of sexual assault. These include:
- Sexual Assault Service Co-ordinators and staff
 - Medical Practitioners providing sexual assault medical services
 - Emergency Department staff
 - Directors of Nursing
 - Directors of Medical Services
 - Sexual Health Unit staff
 - Pharmaceutical Services Branch

3. RATIONALE

- 3.1 Under interagency agreement, NSW Health has responsibility for the provision of forensic examinations for victims of sexual assault. To date these examinations have been provided solely by medical practitioners in association with the network of Sexual Assault Services.
- 3.2 In 2003, the NSW government made a commitment to introduce the Sexual Assault Nurse Examiner or SANE model in NSW for adult Sexual Assault Service examinations. This model has been established

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- successfully in the United States and a number of other countries and enables nurses to perform forensic examinations.
- 3.3 Overseas research and experience indicates that nurses can collect quality evidence and that their evidence is acceptable to courts. Prosecutors in the US and Canada also strongly support nurse examiners for the quality of evidence they are able to provide to the courts.
 - 3.4 The model is particularly appropriate for NSW where a well-established network of Sexual Assault Services is able to support such a development and the rural medical workforce issues have led to delays in the provision of forensic examinations.
 - 3.5 The SANE model was introduced with strong consumer and interagency support including support from NSW Police and the Adult Sexual Assault Interagency Committee.
 - 3.6 Development of the program was overseen by a Working Group with representation from rural and metropolitan Area Health Services (AHSs), the Nursing and Midwifery Office, Centre for Aboriginal Health and senior sexual assault medical officers. NSW Police and the Office of the Director of Public Prosecutions, the Attorney General's Department and the Nurses Association were also consulted in the development of the program.
 - 3.7 Crown Solicitor's advice was sought specifically in respect of the program, which indicates that there is no legal impediment to nurses giving expert advice in court cases within the scope of their training, study or experience.
 - 3.8 NSW Health SANEs attend a training course provided by the Victorian Institute of Forensic Medicine – Monash University entailing specific, detailed instruction on the nature and scope of their role and responsibilities, including the level of injury interpretation that they are able to provide. Following the training courses the nurses undertake supervised practice by medical officers before commencing work as a Sexual Assault Nurse Examiner as part of the local Sexual Assault Service teams.

4. DEFINITION OF THE PRACTICE AREA

- 4.1 NSW Health has responsibility for the provision of forensic examinations for victims of sexual assault. These examinations in NSW Health Sexual Assault Services are generally carried out by medical practitioners in association with the network of Sexual Assault Services. NSW Health is introducing a new model of practice called Sexual Assault Nurse Examiners (SANE) by which suitably qualified nurses, will also provide sexual assault forensic examinations for adult victims of sexual assault.

The practice area for the Sexual Assault Nurse Examiner is articulated in Section 9 of the *NSW Health Sexual Assault Policy and Procedures Manual (Adult), 1999 Revised* which must be read in conjunction with this Policy Directive.

- 4.2 All forensic examinations of victims of sexual assault will be provided as part of the service delivery of NSW Health Sexual Assault Services and will be conducted within AHS facilities.
- 4.3 Only nurses employed by NSW Health, with recognised qualifications and who have completed the NSW Health approved training course for Sexual Assault Nurse Examiners, are eligible to provide this response to adult victims of sexual assault.
- 4.4 The practice area for a SANE does not include the provision of counselling to victims of sexual assault. Designated counsellors employed by the Sexual Assault Service provide this function.

5. DEFINITION OF AN ADULT VICTIM OF SEXUAL ASSAULT

- 5.1 An adult victim of sexual assault is a person who is 16 years or over who has experienced sexual assault and attends a NSW Health Sexual Assault Service.
- 5.2 A 14-15 year old adolescent who has experienced sexual assault by someone who is not a caregiver or relative and who wishes to attend a NSW Health Sexual Assault Adult Sexual Assault Service may also receive treatment from these Services.

6. ROLE OF A SEXUAL ASSAULT NURSE EXAMINER

6.1 The duties of a sexual assault nurse examiner are:

- Clinically managing and evaluating clients attending NSW Health Sexual Assault Services;
- Obtaining relevant health history and history of the sexual assault;
- Performing a physical examination;
- Interacting with clients in a sensitive and professional manner that promotes informed consent or informed refusal with regard to collection and/or available treatment options;
- Inspecting and evaluating any area of the body of a victim who is reporting sexual assault as directed by the NSW Health Sexual Assault Investigation Kit;
- Administering/supplying certain medication as authorised by Standing Order;
- Collecting forensic evidence using the NSW Health Sexual Assault Investigation Kit;
- Documenting the findings by using the NSW Health Adult Sexual Assault Protocol;
- Maintaining continuity and secure storage in relation to the collection of forensic evidence;
- Providing treatment of certain injuries sustained by clients in the course of the sexual assault;
- Liaising with and/or referring to relevant medical services to provide treatment of injuries as required including assessment for sexually transmitted diseases;
- Providing/or referring clients to follow up clinical care in accordance with local service arrangements;
- Preparing an expert certificate according to the NSW Health format as required for any court matter related to the client's presentation to the Sexual Assault Service;
- Liaising with a designated medical officer in the preparation of a supplementary expert certificate, if required, for any court matter related the client's presentation to Sexual Assault Service;
- Providing evidence in court as required, within the scope of the nurse's expertise based on training and experience;

7. CRITERIA FOR ENTRY INTO THE NSW HEALTH SEXUAL ASSAULT NURSE EXAMINER PROGRAM

7.1 Selection criteria to train as a SANE are:

- Employment by a NSW Area Health Service
- Registration as a nurse with the Nurses and Midwifery Board
- 5 or more years clinical nursing experience
- Postgraduate qualification in midwifery, sexual health, venereology or family planning
- 50 or more vaginal examinations conducted
- Interest in working in the area of sexual assault
- Competence to respond sensitively to people who have experienced serious trauma
- Willingness to attend one week training in Sydney and if necessary an additional week placement
- Willingness to undergo formal assessment and supervision
- Ability to respond to sexual assault examinations in a timely manner and organise workload accordingly
- Ability to be flexible and be placed on a 24hr on-call roster
- Ability to work in a multidisciplinary team
- Capacity to maintain a victim oriented perspective as it relates to sexual assault and other trauma
- Completion of the minimum Child Protection core training requirements within Area Health Service
- Understanding of health workers duty to report children at risk of harm to the Department of Community Services
- Support from the Area Health Service to undertake SANE training and participate in the provision of sexual assault forensic examinations in conjunction with Sexual Assault Services within the Area Health Service.

8. ORIENTATION, TRAINING, ASSESSMENT and SIGN OFF PROCESS

- 8.1 Trainees will undertake orientation within their local Sexual Assault Service prior to attending the approved NSW Health training course.
- 8.2 Trainees will attend the NSW Health approved training course for the Sexual Assault Nurse Examiners that includes 40 hours face to face training and successfully complete assessment tasks in order to be signed off by the Department of Health as having qualified to practice within NSW Health.
- 8.3 Assessment tasks include clinical components of witnessing and performing, under the observation of an experienced forensic examiner, a specified number of examinations within 12 months of attending the training program and preparation of related reports. Other assessment

tasks will include undertaking visits to court, their local Police and Sexual Health Service.

- 8.4 To facilitate trainees, particularly those from rural areas, completing the required number of examinations within the timeframe a one week placement may be undertaken within larger Sexual Assault Services to undertake all or some of these examinations. Nurses undertaking clinical placements within their own or another Area Health Service as part of their training to become a Sexual Assault Nurse Examiner are covered for Workers Compensation and Professional/Public Liability insurance by the NSW Treasury Managed Fund.
- 8.5. Trainees will submit a work log to the Victorian Institute for Forensic Medicine for ratification. This needs to be done within 12 months of the trainee completing the training course.

The work log will contain proof of participation in orientation to the local Sexual Assault Service, attendance at the training course, observers template for 3 examinations performed by the Trainee and the final drafts of 3 Expert Certificates prepared for 3 of the examinations performed by the trainee SANE.

- 8.6 AHS will facilitate nurse examiners' participation in on going training related to the provision of clinical management and forensic examination of victims of sexual assault such as attendance at courses offered by the NSW Health Education Centre Against Violence (ECAV).

9. AVAILABILITY AND PAYMENT

- 9.1 To practice in NSW Health services, the nurse examiner must have approval from their line management to secure leave from performing other duties including participating in after hours on call rosters to provide this service. They need to be available to complete the forensic examination as soon as is practicable following the presentation of a victim of recent sexual assault.
- 9.2 Sexual assault forensic examinations must be conducted as soon as is practical, but within two hours, of request by the counsellor and without interruption.
- 9.3 Nurse examiners will need to prepare Expert Certificates or other reports related to the client's presentation at the Sexual Assault Service. It is the responsibility of nurse's line management to organise rosters that create availability to enable the nurse examiner to complete these reports as required.

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- 9.4 It is the responsibility of Area Health Services to provide payment and conditions for nurse examiners in accordance with existing awards and/or local 'on call' arrangements.
- 9.5 It is the responsibility of the nurse examiner's line management to ensure that a nurse examiner is available to attend at court if required in relation to their examination of clients seen in the Sexual Assault Service.

10. RESPONDING TO A VICTIM OF RECENT SEXUAL ASSAULT

- 10.1 Responses to victims by SANEs will accord with NSW Health Sexual Assault Services Policy and Procedure Manual (Adult), Revised in particular Section 9 "Medical Assessment and Management".
- 10.2 Area Health Services will ensure that 24 hour crisis counselling is available to the victim of a recent sexual assault within two hours of their presentation to a NSW Health service. This is stipulated in the NSW Health Sexual Assault Services Policy and Procedures (1999) and this will be provided in accordance with the minimum standards for an after hours service involving:
- A coordinated roster of specifically trained and supervised on-call counsellors,
 - A coordinated roster of specifically trained and supervised on-call sexual assault forensic examiners,
 - Availability to respond to a client's presentation at Sexual Assault Service as soon as possible and within 2 hours of request by the counsellor,
 - Availability to provide sexual assault forensic clinical assessment to a client without interruption.

11. ADMINISTER AND/OR SUPPLY MEDICATION

- 11.1 Nurse examiners will administer and/or supply the following medications as indicated to clients attending NSW Health Sexual Assault Services on the basis of Standing Orders endorsed by the relevant Area Health Service Drug Committee in accordance with the Handling of Medications in NSW Public Hospitals - Policy (PD2005_206):

Postinor 2 - emergency contraception
Maxolon (Metochlopramide) - anti emetic
Azithromycin - for Chlamydia
Hep B Vaccine – Hepatitis B Virus

- 11.2 The nurse examiner will assess the risk that the client may have been exposed to a sexually transmitted disease in accordance with Management of Non Occupational Exposure to Blood Borne and Sexually Transmitted Diseases (GL2005_022). These guidelines contain

risk assessment guidelines, counselling and post-exposure prophylaxis (PEP) regimes for HIV and Hepatitis B.

- 11.3 HIV-related PEP should only be commenced after consultation with a medical practitioner with expertise in HIV medicine. HIV-related PEP may only be prescribed by medical practitioners attached to HIV specialist services and other authorised medical practitioners, such as sexual health physicians and some general practitioners in each Area Health Service. In this situation the nurse examiner should consult with the designated Sexual Assault Medical Officer for the Sexual Assault Service and/or Emergency Department medical staff.

12. PROVISION OF TREATMENT FOR INJURY

- 12.1 In all circumstances clients presenting to NSW Health Sexual Assault Services will undergo assessment for injury by the Emergency Department triage nurse. This must be expedited so that the Sexual Assault Service interview with the client is not delayed and they are not required to wait for any period in the Emergency Department waiting room.
- 12.2 In line with section 9.2 of the NSW Health Sexual Assault Services Policy and Procedure Manual (Adult), Revised the sexual assault forensic clinical assessment will be conducted as soon as possible unless urgent medical attention is required.
- 12.3 In relation to the treatment of injuries sustained by clients in the course of the sexual assault, a SANE may provide treatment for superficial injury to the body or ano-genital area. This is limited to the treatment of contusions and abrasions.
- 12.4 For the treatment of any deeper ano- genital injury such as lacerations or incised wounds, or injuries requiring suturing, a referral will be made to Emergency Department medical staff or other identified medical officer available to the Sexual Assault Service
- 12.5 For the removal of any objects where there has been penetration, or suspicion of penetration by a foreign body to the ano-genital cavities a referral will be made to Emergency Department medical staff.
- 12.6 The nurse examiner will document referrals made to the Emergency Department in relation to the treatment of any injuries in the client's general medical record in accordance with local procedures.

13. PROVISION OF EXPERT CERTIFICATES DURING TRAINING PERIOD

- 13.1 During their training period, trainees will be restricted from providing an opinion statement within their Expert Certificate for any sexual assault

forensic examination that they perform. They will confine their Expert Certificates to the documentation of the background and account of the sexual assault, the examination findings and specimens taken. In general it would be anticipated that a nurse examiner would not give opinion evidence until they reach a sufficient level of clinical competency to do so.

13.2 Trainees will use a modified template for Expert Certificates that limits these certificates to the areas listed above during their training period.

14. SUPPORT AVAILABLE TO SEXUAL ASSAULT NURSE EXAMINERS

14.1 Nurse examiners will be provided with support from:

- Sexual Assault Service Coordinators
- Designated Medical Officer within the Area Health Service
- EAPs (Employee Assistance Program)

14.2 In each Area Health Service, there will be a designated Medical Officer for the Sexual Assault Service to provide clinical review and support to a SANE. Where this is not available, arrangements must be put in place so that an identified Medical Officer from another Area Health Service is contactable.

14.3 It is the responsibility of the Sexual Assault Service Coordinator in conjunction with the designated Medical Officer to ensure that the SANE has access to on going clinical supervision, consultation, peer review and networking.

15. APPEARANCE IN COURT

15.1 Area Health Services will ensure SANEs are supported by their line management to be available to attend at court as required in relation to the examination of clients seen in the Sexual Assault Service. This includes participating in any pre-hearing conferences with the Office of the Director of Public Prosecutions in relation to the evidence they may provide in the matter.

15.2 The attendance by nurse examiners at court to give evidence in any court matters related to their examination of clients seen in the Sexual Assault Service will be considered as being on duty. This is in accordance with NSW Health guidelines for staff attending court in the course of their employment.