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FORENSIC NURSING - A BOON TO THE SOCIETY

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ABSTRACT

Forensic nursing is recognized as the most contemporary concept in forensic services, only recently introduced in India. This concept brings together resources from forensic science, healthcare and criminal justice in a common concern for the plight of victims of crime, the accused and the families of both. Forensic nursing was first introduced to a few select institutes and agencies in our country in November 2003. Since that time, an enthusiastic response has emanated from this initial prologue in New Delhi and across the Punjab. Currently, nursing students are resonating with enthusiasm to work as forensic nurse examiners. Direct beneficiaries of this development will be the experts in forensic medicine as well as police agencies. Forensic medical examiners (FME) and forensic pathologists will be able to better perform their professional duties with skilled forensic nurse associates. Society will benefit from direct services provided by forensic nurse professionals who are specifically trained to interact with those who are tormented by crime or who have been accused of crimes they did not commit. Forensic nurse examiners excel in establishing a rapport with these specific clients and can explain various technicalities and legal requirements with ease. Forensic nurses that can interview clients in their own language and in a compassionate manner, are better prepared to care for the emotional aspects of social trauma. Ultimately it is the Indian society that will benefit through the application and acceptance of forensic nursing services as has been established in other parts of the world. The investigation of crime will also receive a fillip, as forensic nurses help law enforcement officers attain a more precise interpretation of the medical aspects of case investigation and preservation of biological evidence. Ultimately, it is the social order of India that will benefit through the integration of forensic nursing science into our health and justice systems.

Key Words : Forensic nursing, forensic nurse examiner (FNE), sexual assault nurse examiner (SANE), legal nurse consultant (LNC).

INTRODUCTION AND REVIEW OF LITERATURE

Nurses are healthcare professionals trained to care for and nurture the sick as well as to assist doctors or dentists [1]. As the medical and social sciences continue to develop and expand their boundaries of practice, the nursing sciences must follow suit. Nurses must venture into new frontiers to keep pace with the changing needs of society. New arenas for practice have opened in the nursing sciences such as paediatric nursing, psychiatric nursing and geriatric nursing, among others. One of the most interesting and challenging new fields is that of forensic nursing. The concept of forensic science applied to nursing practice is not new, yet the nomenclature of such a formal speciality is definitely new. As early as the 14th century, nurse-midwives were providing forensic examinations at the order of the King, such as confirmation of pregnancy or evidence of sexual assault

and giving testimony to the court [2]. As Bhai Kanhaiya quenched the thirst of war victims and caring for patients of trauma, he represented one of the most fundamental aspects of forensic nursing (i.e., the investigation of trauma). Today he is remembered for his dedication to nursing and is recognized as the ideal male nurse. Long before contemporary forensic nursing was defined as a formal speciality, Florence Nightingale initiated the early concept of a forensic nurse in the Crimea, with a lamp in her hand while caring for victims of war.

The nurses' role in medicolegal cases has been recognized since mid 1970s when Dr. John Butt, Chief Medical Examiner in Alberta, Canada first established the role of the forensic nurse examiner in death investigation, representing the forensic pathologist at the scene of crime. In 1989, the American Association of Legal Nurse Consultants was formed in San Diego, California providing for the investigation of legal documents related to questioned healthcare issues in association with attorneys and legal agencies.

In 1992, the International Association of Forensic Nurses was founded and forensic nursing was duly recognized. By 1995, the American Nurses Association Congress of Nursing Practice had recognized forensic nursing as a formal speciality and in 1997, the Standards and Scope of Forensic Nursing Practice were published.

Virginia A. Lynch, a Forensic Clinical Nurse Specialist, is recognized as the founder of forensic nursing science as a formal discipline in United States of America and throughout the world. It is her life's ambition to establish the conceptual model of forensic and nursing science as one solution to identified problems where the lack of forensic intervention and services has resulted in a miscarriage of justice. She has been acclaimed as the moving force in forensic nursing science in developed and developing countries; having initiated the principles of forensic nursing practice in South Africa, Zimbabwe, Japan, Thailand, Singapore, Sweden, Turkey, Italy, Australia, Central America, the United Kingdom, among other countries, and now, India. [3]. On her maiden voyage to India, through the efforts of this author, Dr. R. K. Gorea, it became possible to initiate a forensic nursing education program in Patiala, Punjab. The first in India, nursing students and tutors are keen participants in the various educational programmes specifically designed for them in forensic nursing science.

ROLES OF THE FORENSIC NURSE

It is difficult to limit the role forensic nurses will fill to a few given situations from the Indian perspective; however, some of the potential roles are identified below.

1. **Forensic Pathology:** Forensic nurse examiners serving as a forensic pathology associate can be of immense help to forensic pathologists during the dissection while collecting biological and trace evidence. The forensic nurse can assume an important responsibility as the first person to receive the bodies of the dead, the police documents, maintain mortuary records as well as other necessary entries in various registers, and manage legal formalities related to the decedent's presence in the mortuary. As a mortuary administrator, other responsibilities of the FNE can include noting the post-mortem staining and rigor mortis prior to artificial cooling as well as maintaining the appropriate temperature of refrigerated storage units. Upon the arrival of the forensic pathologist, intake notes will be presented in an incisive report that includes the condition of the body, prior hospital admissions or pre-hospital care, and police description of events as well as the security of any personal property accompanying the body. The forensic nurse examiner can answer the various queries of grief stricken families; thus reducing an excessive and unnecessary workload on the pathologist in addressing these issues, allowing them to concentrate on postmortem analyses in a more precise manner.

2. **Forensic Traumatology:** As a forensic specialists to victims of trauma, the forensic

nurse examiner provides documentation of injury with photography, collection of biological fluids and preservation of clothing that contains evidence of assault, etc. The forensic nurse can be of particular help in cases of intimate or sexual trauma if the victim is female. A female nurse examiner can more readily establish rapport with these victims, allowing them to express the true history in a frank manner.

3. Forensic Toxicology: Forensic nurses should be included as one member of the trauma team when treating cases of poisoning. It is not uncommon for forensically significant evidence in poisoning cases to be discarded, such as gastric lavage, vomitus, urine samples, fecal matter or clothes soiled by any of the above. Forensic nurses are aware of the value of these specimens, preserving as appropriate and document the records in a meticulous manner for future presentation in court.

4. Sexual Assault Cases: It has long been recognized that physicians (male or female) are resistant to participate in sexual assault cases due to the extremes of emotional trauma associated with these victims and their reluctance to testify in court. The forensic nurse has an advantage in these cases due to their highly specialized training as sexual assault examiners. Forensic nurse examiners are specifically qualified in providing sexual assault evaluations and victim management. They are also qualified as expert witnesses in a court of law. From their initial education in forensic science, the sexual assault nurse examiner accepts court testimony as their duty and professional responsibility. Public prosecutors support the development of FNEs in the United States and abroad, citing the forensic nurse as a formidable witness in the courtroom. In the majority of the United States and Canadian provinces as well as in some African countries, the FNE is gradually replacing gynaecologists and emergency physicians as sexual assault examiners [4]. Hopefully, the forensic nurse examiner will become the preferred clinician of the future in the medicolegal management of sexual assault cases in India's health and justice systems. The FNE is able to provide an immediate examination, as they will have no other conflicting emergency duties. They are highly qualified in forensic technique, in improved methods of collection and preservation of specimens and in the photo- documentation of injury, which will ultimately provide for greater a greater number of successful offender prosecutions.

5. Members of the Legal Team i.e. Assistants to Attorneys: Considering that the majority of cases prosecuted involve crimes against persons (i.e., trauma) forensic nurses who have qualified as Legal Nurse Consultants can contribute significantly to the investigation of crime. The LNC can review and analyse medical records and guide the advocates through a morass of medical terminology and surgical procedures not taught in schools of law. T