

Health Service Directive

Directive # QH-HSD-051:2019
Effective Date: 22 July 2019
Review Date: 22 July 2022
Supersedes: New Directive

Caring for People Disclosing Sexual Assault

Purpose

This Health Service Directive requires Hospital and Health Services to take a consistent approach to managing the clinical and psychosocial needs of people who have experienced sexual assault. This includes the person-centred provision of forensic examinations.

Scope

This directive applies to all Hospital and Health Services (HHSs).

Principles

- Compassion – everyone disclosing sexual assault will be treated with respect, courtesy, compassion and dignity and their clinical care and any forensic examination will be responsive to their particular needs including access to, or referral to counsellors and support services.
- Person-centred care – everyone disclosing sexual assault will have access to trained clinicians who can provide timely and confidential clinical care and forensic examinations after presentation to hospital.
- Information – everyone disclosing sexual will be given clear information about their options relating to having a forensic examination and the level of involvement of police.
- Collaboration – HHSs will work effectively with the Queensland Police Service, other government agencies as well as community organisations to ensure a responsive, supportive and integrated approach to caring for people disclosing sexual assault.

Outcomes

Hospital and Health Services included in the scope of this directive shall achieve the following outcomes:

- Compliance with Queensland Government Interagency Guidelines for Responding to People Who Have Experienced Sexual Assault.
- Compliance with the Queensland Health Guideline: Guideline for management of care of people 14 years and over disclosing sexual assault



- Compliance with the Department of Health Guideline: Conducting Child Sexual Assault Examinations (*Document Number # QH-GDL-943:2015*)
- Compliance with the informed consent requirements detailed in the Queensland Health Guide to Informed Decision-Making in Healthcare

In doing so, HHSs will provide consistently high-quality, compassionate and person-centred services to people disclosing sexual assault who present to public hospitals.

Mandatory requirements

Hospital and Health Services (HHS) will:

- Provide 24-hour access to clinical care and forensic examinations for people 14 years and over disclosing a sexual assault in accordance with the Guideline for the management of care of people 14 years and over disclosing sexual assault.
- Ensure everyone who discloses that they are the victim of a sexual assault is informed of their choices about forensic examinations and reporting the assault to police, including the benefits of early reporting.
- Provide forensic examinations to victims of sexual assault when victims choose to have a forensic examination regardless of whether victims decide to report the matter to police or decide to defer this decision.
- Ensure adherence to informed consent for all aspects of caring for people disclosing sexual assault, including clinical treatment, forensic examinations, evidence collection and storage, police involvement, referrals and the release of information to third parties.
- Provide clear information about the storage, access and destruction of forensic examination samples to victims of sexual assault who have a forensic examination but choose to defer the decision to report the assault to police.
- Provide a suitable model of care for managing paediatric sexual assault patients (under 14 years of age) within each HHS.
- Report all suspected child sexual assaults to Child Safety Services in line with the mandatory reporting and duty of care responsibilities of clinicians.
- Ensure all patients are referred to (with patient consent) and/or provided information regarding sexual assault counselling and support services.

Related or governing legislation, policy and agreements

- *Hospital and Health Boards Act 2011 (Qld)*
- *Criminal Code Act 1899 (Qld)*
- *Victims of Crime Assistance Act 2009 (Qld)*
- *Police Powers and Responsibilities Act 2000 (Qld)*
- *Guardianship and Administration Act 2000 (Qld)*

- *Public Guardian Act 2014 (Qld)*
- *Queensland Health Guide to Informed Decision-Making in Healthcare*
- *Charter of Victims' Rights*
- *Child Protection Act 1999 (Qld)*
- *Domestic and Family Violence Protection Act 2012*
- *Powers of Attorney Act 1998 (Qld)*

Supporting documents

- Queensland Government Interagency Guidelines for Responding to People Who Have Experienced Sexual Assault (as amended from time to time)
- Queensland Health Guideline: Guideline for the management of care of people 14 years and over disclosing sexual assault (as amended from time to time)
- Department of Health Guideline: Conducting Child Sexual Assault Examinations (Document Number # QH-GDL-943:2015)
- Queensland Health Guide to Informed Decision-Making in Healthcare

Business area contact

Community and Scientific Services, Health Support Queensland.

Review

This Health Service Directive will be reviewed at least every three years.

Date of last review: 22/07/2019

Supersedes: New Directive

Approval and Implementation

Directive Custodian

Chief Executive Officer, Health Support Queensland

Approval by Chief Executive

Director-General

Queensland Health

Approval date: 17/07/2019

Issued under section 47 of the *Hospital and Health Boards Act 2011*



Definitions of terms used in this directive

Term	Definition / Explanation / Details	Source
Hospital and Health Service	Hospital and Health Services are statutory bodies and are the principal providers of public sector health services.	<i>Hospital and Health Boards Act 2011</i>
Forensic Examination	The forensic examination consists of obtaining a history as to the nature of the assault to guide the subsequent physical examination. It also includes interpretation of injuries and the collection of forensic samples as it relates to the alleged sexual assault. (A Sexual Assault Investigation Kit (SAIK) is used to collect DNA evidence)	Queensland Government Interagency Guidelines for Responding to People Who Have Experienced Sexual Assault.
Child	Under the age of 18 years For child victims of sexual assault, under the age of 14 years, sexual assault medical and forensic examinations should be performed by a medical officer with appropriate paediatric skills including child protection and/or sexual assault medical examination training or skills.	Department of Health Guideline: Conducting Child Sexual Assault Examinations (Document Number # QH-GDL-943:2015)
Trained Clinicians	Forensic Examinations can be provided by: <ul style="list-style-type: none"> • Forensic Physician • Medical Officers who have received training in sexual assault examination • Senior Medical Officers accessing phone support from Clinical Forensic Medicine Unit • Government Medical Officers • Forensic Nurse Examiners (postgraduate qualification in Forensic Medicine) • Sexual Assault Nurse Examiners. Nurses trained in sexual assault examinations having completed a recognised short-course eg SANE 40CPD short course) 	

Version Control

Version	Date	Prepared by	Comments
0.1	22/07/2019	Heath Support Queensland	New Health Service Directive

