



# BRIEFING

Provision of forensic  
examinations in  
Scotland following a  
sexual offence  
(2017)

**RAPE  
CRISIS  
SCOTLAND**

# **Rape Crisis Scotland briefing on the provision of forensic examinations in Scotland following a sexual offence**

**30<sup>th</sup> March 2017**

## **Background**

On Thursday 30<sup>th</sup> March, Her Majesty's Inspectorate of Constabulary in Scotland will publish their report on provision of services for forensic examinations across Scotland for victims of sexual crime. In advance of the report being released, Rape Crisis Scotland wish to provide a briefing to make clear our concerns and the concerns raised by rape survivors in contact with us.

In 2013, the Cabinet Secretaries for Justice and Health agreed new standards for the provision of forensic examinations in Scotland following a sexual offence. These standards were produced by an expert working group, chaired by Detective Superintendent Louise Raphael, with membership drawn from Rape Crisis Scotland, Health, Crown Office and Archway amongst others. The standards set out that:

- Victims must have access to a forensic examiner of the gender of their choosing. For planning purposes, in practice this will mean having a female forensic examiner available at all times, as evidence demonstrates this is the preference of the vast majority of both female and male victims;
- The type of facility utilised for forensic medical examinations may vary across the country but it must comply with the relevant standards. Colposcopes must be available. It is not acceptable for forensic medical examinations of sexual assault victims to take place in police stations;
- The NHS will have responsibility for coordinating the response to victims following a rape or sexual assault to meet their health and support needs. The NHS will ensure there is a care pathway in place to do so which, at a minimum, will include access to support, advocacy, trauma care, safety planning, immediate clinical needs assessment and health care follow up, including sexual health;
- Individuals must have access to forensic examinations on a self-referral basis, to ensure that forensic evidence is not lost due to delay caused by uncertainty as to whether to report;
- Examinations must take place within 2 hours of being requested, with exceptions for remote and island communities where longer travel distances might be involved.

***The agreed standards represented the minimum level of provision which should be provided across Scotland.***

## **Current position**

Despite the existence of the standards, it remains the case that the majority of rape complainers in Scotland are not able to access female examiners. Around half of forensic examinations still take place in police stations. In very few areas of Scotland are people able to access examinations on a self-referral basis, meaning that if someone does decide after a week or longer they wish to report to the police, forensic evidence will have been lost, reducing the chances of a prosecution. At Rape Crisis Scotland, we regularly hear negative feedback from rape survivors about their experience of the forensic examination. The single most common issue raised is having to undergo an examination by a male doctor. This isn't a reflection on the skills or qualities of the doctor, but of the experience of having to undergo such an intimate examination often hours after being raped. Survivors also tell us of a lack of the most basic follow up, for example the provision of emergency contraception. We hear of significant delays in examinations being provided, with people having to wait many hours and in the worst cases days for an examination, meaning they are unable to wash for considerable periods of time after being raped. There are particular issues for island

communities, such as in Orkney and Shetland, where people generally have to travel to the mainland, with a police escort, to undergo an examination. Rape crisis workers on the islands tell us that this actively deters people from reporting sexual offences, as it significantly compromises their anonymity.

Sexual assault referral centres (SARCs) exist across England and Wales to provide a holistic, coordinated response to people who have experienced sexual offences. In Scotland, we have only one - Archway, based in Glasgow, which does not provide a 24 hour service, primarily due to funding constraints. The response someone receives following a rape or sexual assault will vary greatly depending on where in Scotland they live, and at what time they are raped. This is unacceptable.

### **Moving forward**

Scotland's response to rape survivors must be more than a post code lottery.

To meet the needs of people who have survived this traumatic experience our response must be coordinated and comprehensive, and critically it must accommodate for the diversity of Scotland's population and landscape, from the remote Scottish Islands to central Edinburgh or Glasgow. This needs to be fully costed and resourced.

No matter where someone lives in Scotland they should be able to expect a basic level of service. Almost four years after the approval of the minimum standards on the provision of forensic examinations, it's time for them to become a reality.

*For more information, contact Sandy Brindley, National Coordinator, Rape Crisis Scotland on 07764167501 / [sandy.brindley@rapecrisisScotland.org.uk](mailto:sandy.brindley@rapecrisisScotland.org.uk)*