SEXUAL VICTIMISATION AND LEGAL OUTCOME BY DOCUMENTATION OF SPERM AND ALCOHOL

O Ingemann-Hansen*, O Brink Correspondence: University of Aarhus, Institute of Forensic Medicine, Brendstrupgaardsvej 100, 8200 Aarhus N, Denmark

10.1136/ip.2010.029215.632

From a clinical forensic medicine point of view the trace evidence collected during the medical examination could have impact on the legal outcome. However, significant associations between successful prosecution and evidence of trauma, uses of weapons and severe coercion have been found, but inconsistently.

**Objective**

To ascertain the legal aspects of sexual violence and determine associations between conviction and the medical findings of sperm and alcohol intoxication. Method In total, 307 cases were reported to the police in a well-defined geographical area of Denmark during 1999–2004.

**Results and Conclusion**

Nineteen percent of all cases ended with sentencing of the defendant. Victims reported exposure to moderate/severe coercion in 20% of the cases and 46% reported consumption of alcohol prior to the assault. Sperm was detected in 35% of the examined cases. Injury documentation, intoxication and detection of sperm did not aid the prosecution. In 19% of cases, the forensic clinician did not find sperm detected later by the genetics laboratory. The correlation between self-reported and physician-estimated consumption showed disagreement regarding not reported drinking and estimated influence in 5%, and disagreement regarding reported drinking and estimated no influence in 34% of the cases. Disagreement with the physician-estimated intoxication and the toxicology report was found in 13% of the cases. The varying results of intoxication and sperm detection with missing association to conviction suggest sperm has poor sensitivity in predicting sexual assault. If medical examination should have impact on the legal outcome the examination protocol needs revision.
Sexual victimisation and legal outcome by documentation of sperm and alcohol

O Ingemann-Hansen and O Brink

Inj Prev 2010 16: A177
doi: 10.1136/ip.2010.029215.632

Updated information and services can be found at:
http://injuryprevention.bmj.com/content/16/Suppl_1/A177.1

These include:

Email alerting service
Receive free email alerts when new articles cite this article. Sign up in the box at the top right corner of the online article.

Notes

To request permissions go to:
http://group.bmj.com/group/rights-licensing/permissions

To order reprints go to:
http://journals.bmj.com/cgi/reprintform

To subscribe to BMJ go to:
http://group.bmj.com/subscribe/