

# **PROTOCOLS FOR THE VICTIMS' ASSISTANCE UNITS UNDER THE GOA CHILDREN'S ACT**

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(The following is a brief summary of the draft protocols for the VAU that was submitted by the Goa State Commission for Children to the Government of Goa in April 2007. The draft was prepared through a consultative process with NGOs, the police, prosecution, the CWC, JJB and child rights activists in order to create a collaborative effort towards child protection)

The rationale for creating VAUs under the GCA was to offer assistance to children in difficult circumstances and children who are victims of child rights violations, by a team of multi-disciplinary professionals in order to provide support and guidance to both the victim and the law enforcement agencies, using a child-friendly rights based approach.

The GSCC recommended the setting up of at least one VAU in each district (as provided for under the GCA) that would comprise of a co-ordinator, three case workers, two legal officers and a counsellor for each VAU.

Protocols for rescue, ensuring that the rights and dignity of a child are protected through the procedures of filing and processing of complaints with the police and the children's court and for the rehabilitation of a child whose rights have been violated

The recommendations include the need for training for each member of the VAU, adequate support infrastructure for the VAU and the Forensic Examination Unit, protocols for the members of the VAU, the police, the prosecution, the NGOs and the institution established under the JJ Act, and for the rescue of children who have been or are potentially being trafficked. The draft also contains a mechanism for accountability and monitoring.

The draft also contains Standard Operating Procedures to be followed by all the collaborating agencies during the following:

1. When a child/Woman comes to the VAU either directly or with any adult or NGO
2. When a child/Woman comes directly to the police either alone or with an NGO/Adult.
3. When a child/Woman residing in an institution established under the JJ Act discloses that she/he is a victim of crime
4. When a child/Woman is to be rescued
5. When a doctor in a government hospital discovers that a child/Woman is a victim of a crime.

Presently, the State Government is processing the recommendations and is awaiting the approval of the Finance Department for setting up of the VAUs.

## **SCOPE/INFRASTRUCTURAL REQUIREMENTS AND STAFFING PATTERN FOR THE VICTIMS' ASSISTANCE UNITS**

The scope of the VAU should not be restricted only to assist children in the processes involved in registering and follow-up of complaints, but should be extended to assist all children in difficult circumstances (refer to Section 2(II) of the GCA 2003, where a child in difficult circumstances has been defined as, “A child in need which is exposed to or is likely to be exposed to child abuse or sexual offences, child trafficking or commercial sexual exploitation or violation of his or her rights”). Hence, it recommended that the VAU's should be enabled to assist all children in difficult circumstances. The VAU should consist of professionals who can provide legal aid, counseling and support to any child in difficult circumstances.

### **LOCATION:**

There should be a minimum of two VAUs, one each for North and South Goa. The VAU for North Goa should preferably be located at the premises of the Goa Medical College at Bambolim and the VAU for South Goa can be located at any suitable premise near the old bus stand in Margao, preferably near the telegraph Office or the Municipal Garden.

### **BASIC INFRASTRUCTURAL REQUIREMENTS FOR EACH VAU:**

- a) The VAUs should be child-friendly and have barrier free access
- b) Should be equipped with communication facilities, including a phone with STD facility, fax, digital camera, voice recorder, facility for video-conferencing.
- c) A room with a one-way mirror
- d) A bathroom and a rest room
- e) Administrative staff consisting of an office assistant (with knowledge of computers), a peon, a sweeper, drivers and security personnel.
- f) A vehicle for each VAU

**STAFFING PATTERN:****Each VAU should comprise of the following professional staff:**

<b>Sr. No.</b>	<b>Name</b>	<b>No. of posts</b>	<b>Qualifications</b>
1.	Coordinator	01	<ul style="list-style-type: none"><li>• Post graduation in any discipline</li><li>• Age at the time of appointment: between 35-55 years</li><li>• A minimum of three years experience of working with children in difficult circumstances.</li><li>• Knowledge of Konkani, Marathi and Hindi.</li><li>• Knowledge of Computers</li></ul>
2.	Case workers	03	<ul style="list-style-type: none"><li>• Graduation in any discipline preferably in Humanities, Social Work, Home Science, Nursing or Social Sciences</li><li>• A minimum of three years experience of working with children in difficult circumstances</li><li>• Knowledge of Konkani, Marathi and Hindi.</li></ul>
3.	Legal officers	02	<ul style="list-style-type: none"><li>• Degree in law</li><li>• Knowledge of laws relating to children</li><li>• A minimum of three years experience.</li></ul>
4.	Counsellor	01	<ul style="list-style-type: none"><li>• Post graduation in psychology OR post graduation in social sciences with a professional diploma/degree in counseling Or post graduation in medical and psychiatric social work</li><li>• A minimum of three years experience of working with children in difficult circumstances.</li></ul>

Note: All the staff shall undergo training from time to time.

The VAU should create a panel of doctors, forensic experts, pediatricians, psychologists, gynecologists and other professional service providers (including accredited NGOs) who could be called on to provide necessary services as per the requirements in each case. These professionals (including those who are working at government hospitals) who are empanelled and are called upon to provide specialized services on a need-basis have to be paid as per the nature of the service and these services will therefore have to be budgeted for.

The GSCC also recommends that in addition to the panel constituted by the Government/DWCD, the selection panel for the professional staff of the VAU should also comprise of:

1. Directorate of Prosecution
2. Goa Police
3. GMC – forensic expert
4. 2 members of the Goa State Commission for Children

### **ROLE/FUNCTIONS/STANDARD OPERATING PROCEDURES AND PROTOCOLS FOR THE VAU:**

**The Draft Protocols/ Standard Operating procedures for the VAU and different collaborating agencies has been prepared by the GSCC in consultation with the Police (SP Crime Branch), Director of Prosecution, Department of Women and Child Development, Department of Forensics (GMC), Members of the CWC, Superintendent of Apna Ghar and, NGOs and Individuals working with women and children. These drafts should be reviewed at regular intervals after the VAUs start functioning and the GSCC along with the Advisory Committee/Monitoring shall make necessary recommendations from time to time for changes to be made if any.**

#### **A. ROLE/FUNCTIONS OF THE CO-ORDINATOR:**

- To co-ordinate and monitor the functioning of the VAU.
- To assign cases to the case-worker/legal officer/counsellor depending on their work load/time schedule.
- To conduct weekly review meetings with all the members of the VAU.
- To review all information/documentation for weekly meetings with members of the VAU.
- To document the overall procedures followed at each step in each case by the VAU.
- To maintain a Data base of accused and child victims.
- Maintain a database on reports/cases of missing children in the state.
- To network with government departments/agencies within and outside the state on a need-basis.
- To allocate time schedules for the VAU staff (Both professional staff and Administrative staff).

- To prepare monthly budgets and a needs-assessment report for the VAU.
- To organise case-conferences with all concerned departments/NGOs/all those connected with the process of assisting the child from time to time.
- To conduct a meeting with the GSCC/Prosecution/Forensics/Police (Advisory Committee), once in a month to review the functioning of the VAU.
- Coordinator to call for case conferences of all involved in the case and if needed make provision for expert opinion if required from other states
- In cases where the child expresses the need to discontinue victim assistance and is not resorting to help from an NGO either, the VAU should seek the involvement of the State Commission for Children/ DWCD and/or any other agency to know why the child is opting out. The Coordinator shall then conduct a case-conference with all those concerned to decide the future the course of action, keeping in mind that the best interests of the child are protected.
- To ascertain the need for appointing a Special Prosecutor if a case so demands and to follow up with the concerned authorities.
- To organise a review meeting once the trial is over in order to assess the procedures/guidelines/protocols followed at each stage. The Co-ordinator has to organise such a meeting and call all those concerned with the case to be present.
- In cases of conviction the Coordinator shall in coordination with the legal officer/case-worker, assist the concerned Public Prosecutor to file an application for Compensation.
- After the disposal of case, the VAU shall assist the DOP in assisting the child to file appeal, revision and compensation claims if any.
- The Coordinator shall take decisions regarding how the compensation money can be used in the best interest of the child in consultation with other members of the VAU, the child/the family/guardians/support persons/NGOs/ CWC depending on the nature of the case in the best interests of the child. Coordinator shall evaluate the effectiveness of the decisions taken in this regard from time to time.
- To prepare a resource directory of (accredited) individuals / organizations / government departments and service providers within and outside the government, schemes/programmes (state government/central government) and update the same from time to time.
- To prepare and disseminate information on the services that is provided by the VAU in coordination with the GSCC/DWCD.
- To organise training programmes for the VAU members in co-ordination with the GSCC/DWCD
- To prepare and submit monthly reports (functioning, budgets, needs-assessment....) to the Monitoring committee/DWCD/GSCC.

#### **A (i) PROTOCOLS FOR THE CO-ORDINATOR:**

- As soon as a child comes or is referred to the VAU the Co-ordinators' first response should be to make the child feel safe and comfortable. The Co-ordinator may seek the assistance of the others in the VAU, Government Departments/Agencies or accredited NGOs, depending on the felt need at this stage.

- Arrangements shall be made for medical/first aid (check –up at the GMC), food and rest for the child depending on the nature of the case and the status of the child who has arrived in the VAU.
- The Co-ordinator at this stage should also be able to decide as to which case-worker/legal officer the case would be assigned to.
- The Co-ordinator must also start the process of contacting/consulting the relevant/concerned government departments in case a complaint is to be filed and if the child has to be referred to an institution/place of safety for shelter.
- The educational, financial, medical needs of the child to be taken care of by the VAU by devising an Individual Child Care Plan (ICCP) before admitting the child to the Protective Home/Apna Ghar/Fit Institution.
- At the time of admission a file containing brief history (medical included) along with the name of the contact person at the VAU, special instructions if any and the ICCP to be submitted to the Fit institution/Apna Ghar/ Protective Home.
- The process of documenting should begin with the recording of the time at which the child has come to the VAU along with names of those who have referred/accompanied the child.
- To assign personnel of the VAU to accompany the IO during the different stages of investigation.
- To assign personnel from the VAU during the different stages of trial, rehabilitation (short-term and long-term).
- To assign personnel from the VAU during formation of a team to rescue a child.
- To ensure that guidelines/protocols for rescue (Appendix II) are followed keeping in mind the best interests of the child
- To review all documents related to the case and to identify gaps in information (if any) and to ask for all documentation to be complete before each case-conference
- The Co-ordinator has to take necessary steps so that the VAU provides logistic support to the I.O. during the course of investigation to facilitate the victim and her family members as per the situation.
  - Arrangements for short stay/ shelter.
  - To arrange for services like transport, medicine, clothes, food, etc. to make the child comfortable.
  - To make arrangements for an interpreter/translator as when the need arises.
  - VAU member to remain present along with child throughout till the presence of child is required by Police for investigation to make the child more comfortable and confident and for assisting investigation and rehabilitation.
  - VAU shall take initiative to start process for rehabilitation of the child if the family members are not in position to take care of the child or in cases where the parents/guardians pose a threat to the child's safety/well-being.
  - VAU to conduct enquiry and to prepare social investigation report.
  - The Coordinator shall along with other members of the VAU ascertain and requisition for protection by the police to the child/witnesses during any stage, as and when deemed necessary in the best interest of the child.
  - In the best interest of the Child, the VAU may take recourse to rehabilitate the child to keep her/him in a place of safety so that she/he can depose in effective manner before the Children's Court during trial of the case.

- If the child is to be sent outside the state/country for rehabilitation, a member from VAU/Childline (The VAU shall collaborate with Childline in this regard) shall accompany the child and police team.
- To liaison with agencies (within and outside the government) to continue monitoring the safety and well-being of the child after being sent for rehabilitation.
- VAU shall inform and help the child and/or her family to access Govt. schemes/services.
- Documents maintained at the VAU should only be made available to those connected in protecting the child and confidentiality is to be maintained by all at all stages and in all cases. No information that is detrimental to the child's best interest/compromise the safety of the child, shall be revealed at any stage. The Coordinator shall separate the General Database from the Confidential database. The General Database can be accessed under the RTI Act.
- In cases where the VAU has taken assistance from the NGO or when the NGO has referred the case to the VAU, the VAU shall collaborate with the NGO and will keep the NGO informed about the progress of the case at regular intervals and will invite the NGO to participate in the case-conferencing keeping in mind the best interests of the child.
- The Co-ordinator shall ensure that at no time will the VAU reveal the name of the child/her/his whereabouts and details/information regarding the complaint/case to the media.
- To ensure that child-friendly procedures are evolved and followed at every stage of interaction between a child and the VAU.
- To follow the Standard Operating Procedures as outlined in Appendix I.
- The Co-ordinator shall be accountable to the GSCC and the DWCD.

### **B ROLE/FUNCTIONS OF THE CASE-WORKER:**

- The Case-worker shall be assigned cases by the co-ordinator.
- The Case-worker shall be with the child and will have to provide and co-ordinate all the assistance that the child needs from the time the child enters the VAU and is assigned to the care of case-worker, till the child has been rehabilitated.
- To accompany the child during all the stages...i.e. for the purpose of registering the complaint/during the time that the child is sent for medical check-up/assistance, during the court hearings, till the entire process of investigation and trial is completed, the case-worker shall accompany and support the child.
- The Case-worker shall assess the needs of the child from time to time and make arrangements to address her/his needs in consultation with the co-ordinator and other members of the VAU as and when necessary.
- To prepare a detailed home-study report so as to ascertain the child's home environment and identify sources of support and threat to the child. The case-worker shall prepare this report in consultation with all those who have been connected with the case and have provided support to the child (such as the police, the other staff at the VAU, the NGO, the school where the child has been studying and any other source that is identified during the course of preparing the home-study report).
- To ascertain the short-term and long-term rehabilitation needs of the child in consultation with other members of the VAU, support persons and the child.

- To document every interaction with the child and with others whenever such interaction is in relation to the case/well-being of the child.
- To prepare a weekly report on all cases assigned and submit the same to the co-ordinator.
- To participate in all case-conferences and to give an **informed opinion** on all matters concerning the best interest of the child.
- To meet the legal officer as often as is necessary and co-ordinate with her/him in all legal matters pertaining to the child.
- To coordinate with the counsellor/support persons in determining the best interests of the child.
- To meet the child if she/he has been housed in a home/ fit institution/place of safety or even when the child has been sent to her/his parents/guardians as often as is necessary in order to ascertain her/his well-being/safety and also to assess her/his needs.
- To assist the co-ordinator in the preparation of the needs-assessment report and the monthly progress report of the VAU.

#### **B (i) PROTOCOLS FOR CASE- WORKER:**

- The case-worker has to at all times be aware that her/his primary focus is to ensure that the best interests of the child are protected at all times.
- The case-worker shall in consultation with the counsellor, take decisions such as ascertaining the preparedness of the child for making a disclosure of crime, statement, medical examination, deciding on short/long term rehabilitative measures concerning the child.
- The case-worker has to keep all information/documentation about the child confidential and will use the same for the case-conferencing.
- The case-worker shall not reveal the name and any other information related to the child or the case to the media at any time.
- To follow the Standard Operating Procedures as outlined in Appendix I.
- The case-worker shall be accountable to the Co-ordinator.

#### **C. ROLE/FUNCTIONS OF THE LEGAL OFFICER:**

- To provide necessary support to the child while registering the FIR. Legal officer should be present during the recording of the FIR **or he/ she should advise the police over the phone.**
- Legal Officer should also be present during the recording of the statements of the child and other witnesses.
- Scene Panchanama Kit should be used during the crime scene visit. Investigating officer, medical officer and the legal officer should be present during the Panchanama. The VAU member shall help in ascertaining if the Kit is complete and is definitely being taken along.....The composition of the team will depend on the nature of the case and will be decided by the IO and legal officer
- Shall be present during the recording of victims' and complainants' statement under section 164 of Cr. P. C.
- Initially fortnightly reviews of functioning of the legal dept. and the VAU should be organized by the DOP. The legal officer should be present at such review meetings.



- In all cases that are referred to the VAU, the Legal Officer to be present in Court on the child's behalf and assist the Public Prosecutor of the Children's Court.
- To consult the Director of Prosecution at all stages of investigation and trial.
- To provide informed opinions to the child and her/his family regarding all processes involved in registering the complaint, recording of statements and trial proceedings at different stages
- Legal officer shall be responsible for familiarizing the child with the court proceedings and their implications. If needed a mock court should be conducted.
- To document all relevant laws/judgements relating to cases of child rights violations
- To accompany the IO during the various stages of investigation to ensure that the procedures/protocols as outlined, are followed at each stage.
- In cases of conviction the legal officer shall assist the concerned Public Prosecutor to file an application for Compensation.
- After the disposal of case, the VAU shall assist the DOP in assisting the child to file appeal, revision and compensation claims if any.

#### **C (i) PROTOCOLS FOR THE LEGAL OFFICER:**

- Legal officer should adopt and ensure that child friendly procedures are followed throughout the process of registering the complaint, making of statements, investigation/trial.
- Legal officer to ensure that the child should not be taken in same vehicle with the accused at any time.
- Legal officer should also see that the child is not confronted with the accused in the police station.
- Legal officer should make the necessary arrangement with the help of the Coordinator to see that the statement of the child is recorded in the language of the child. (the language and the words used to describe the incident should be the same as are used by the child while making the statement)
- The Legal Officer will be the legal Representative of the Victim and at no stage represent the accused.
- To follow the Standard Operating Procedures as outlined in Appendix I.
- The Legal Officer shall be accountable to the Coordinator of the VAU.

#### **D. ROLE/FUNCTIONS OF THE COUNSELLOR:**

- The primary focus of the Counsellor is to be able to support the child and to make the child comfortable and cope with the trauma of abuse and the proceedings from the time the child is referred to the VAU till such time as the child is rehabilitated.
- The child in each case will be assigned to the care of the Counsellor by the Coordinator.
- The Counsellor shall provide counselling to the child as and when necessary.
- The Counsellor shall collaborate with the counsellor/s at the Fit Institutions/Apna Ghar/ Protective Home in cases where the child is admitted there.
- The Counsellor shall also assist the case-worker and the legal officer during every stage in order to make the child comfortable and to provide necessary assistance to them.

- The Counsellor will be present at every case-conference and shall provide necessary information about the well-being and preparedness of the child to make statements, identify the accused person/s, during court proceedings, etc.
- The Counsellor shall be the support person from the VAU and shall be present with the child during the medical examination, forensic interview, making the statement and during the trial.
- The Counsellor shall also assist the case-worker in identifying sources of support and threat to the well-being of the child..
- The Counsellor shall ascertain the need for any other professional help that the child may need at any stage and make a request for such assistance to be provided to the Co-ordinator.
- The Counsellor shall document all relevant information that pertains to the case and to the child's safety and well-being in order to assist the VAU in making decisions about the child at every stage (including rehabilitation).

**D (i) PROTOCOLS FOR THE COUNSELLOR:**

- Information gathered from the child is confidential and the Counsellor shall provide only relevant information to the VAU in the best interest of the child.
- The Counsellor shall not reveal any information to any other person outside the VAU/media at any stage.
- Information given by the child shall be used only for the purpose of ensuring the child's best interest.
- To follow the Standard Operating Procedures as outlined in Appendix I.
- The Counsellor shall be accountable to the Co-ordinator.

# **APPENDIX I**

## **STANDARD OPERATING PROCEDURES (SOPs)**

### **I) When a child comes to the VAU either directly or with an NGO/adult:**

Stage O	Commitment of Crime under Goa Children’s Act				
Stage 1	Complaint		Information		
	*The first response should be to make the child comfortable.	Parents /guardians	<u>VICTIM</u> ↓	NGO	*The immediate needs of the child need to be assessed and catered to. (Co-ordinator and/or case-worker)
			↓		
Stage 2	* Advise / assist in medical emergency * Advise Dos & Don’ts for medical evidence. * Legal Officer of VAU to provide necessary support.(in person / through telephone/fax)		Police	*Co-ordinate & cooperate with police, panel of doctors and NGOs. Coordinator to contact the Police without any delay. (Legal Officer)	
			VAU ↓		
			FIR ↓		
Stage 3	FORENSIC EXAMINATION TO BE CONDUCTED AT THE FEU*				
	Forensic interview of		<u>Physical / genital examination.</u>		
	Parent/ Guardian	Child	* Use of Sexual Assault Victim Examination kit as well examination scheme and report as in specified formats. * Use of colposcope * Use of photography <u>Collection of material of evidential value:</u> Mandatory: vaginal swab, smear slide, pubic hairs, clothes, DNA <u>Investigations:</u> For age, STD, HIV, DNA, Bite Marks etc. (The child to be accompanied by the Counsellor/legal officer of the VAU)		
	* Interview to be done under video camera.				
	* VAU team & IO to be present				
* Nature of psychological support required to be decided on the basis of this recording.					
Stage 4	The Child may be referred to either A) or B) or C) depending on the assessment by the VAU in consultation with the doctors/police, the child and/or support person				

	A) Along with the police for completion of further investigation like blood grouping at blood bank. Scene of crime, additional statement etc... (Case worker / Legal officer to accompany).		B) To hospital ward for admission for treatment or management of medical condition, trauma etc. (At this stage the Case worker and/or counsellor needs to be present with the Child)
	C) HOME / PROTECTION HOME/FIT INSTITUTION (regd. under the JJ Act) Coordinator to be authorised to admit child to the institution/home by DWCD and then complete formalities with the CWC/Competent Authority. (decision by case worker / counsellor) Coordinator shall contact CWC/Competent Authority & Admit the child to the Place of safety.		
	If child is required for additional investigation by police: legal officer / case worker / counsellor from VAU to accompany. VAU to ensure that the Forensic technician and the IO along with others visit the scene of offence to and that the evidence collection kit is taken to the scene of crime and used by the police. Statement of witness to be recorded u/s 164 Cr. P.C. (Responsibility of legal Officer and Coordinator to ensure that personnel from the VAU are with the child at each of these stages)		
Stage 5	VAU for counselling assistance / rehabilitation etc. By Coordinator / case worker and counsellor		
Stage 6	Receipt / details of all reports or investigation including CFSL reports.	Case conference to be called by the Coordinator of the VAU (Schedule for case conferences to be decided by the Coordinator in consultation with other VAU members and others who are involved in child protection in the case)	
	CHARGE SHEET OF CASE: VAU to get copy officially from the Police.		
Stage 7	TRIAL STAGE: Summons to witness / child Role of VAU: to remain in contact with Directorate of Prosecution & witness and explain to the witness and/or child the procedures of the trial and implications of the same. Conduct a mock trial before the actual trial in order to make the child comfortable with the processes in court.		
Stage 8	EVIDENCE in court by expert witness Role of VAU: if discrepancy / defect/ in Expert’s evidence (like doctor, CSFL scientist etc.), get back to them, get scientific clarification / explanation in form of scientific / medical literature.		
Stage 9	ARGUMENTS ON THE CASE Role of VAU: get maximum citations/authorities in support of prosecution. The Legal officer and case worker shall be in touch with the DOP right through the trial and offer assistance in the best interest of the child.		
Stage 10	JUDGEMENT ON THE CASE/ At This stage the DOP in consultation with the VAU/Police, shall file for Compensation/Revision/Appeal depending on the outcome.		

<b>Stage 11</b>	<p align="center"><b>FINAL CASE CONFERENCE</b></p> <p><b>To be called for by the Coordinator.</b>  The DWCD/GSCC/DOP/Police/Forensic experts/ NGO representative who may be involved with the case/ JJ functionaries and anyone connected with the case or with the procedures at any of the above stages may be called for such a conference in order to evaluate all procedures followed at each stage by the VAU and the law enforcement agencies in order to improve the processes in child care and protection and in conviction of offenders.</p>
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**\* FEU: Forensic Examination Unit.**

**\*\* The VAU shall in consultation with the Police, Forensic experts and Prosecution, try and record the statement of the child only once. A Panel shall be constituted that shall include all concerned authorities for this purpose, and an attempt shall be made to record the statement of the child before such a panel to avoid multiple recording of statements.**

**\*\*\* The VAU shall call for a minimum of three case-conferences, once during the pre-trial stage, once during the trial and once after the trial is over. The VAU may call for additional case-conferences as and when the need arises.**

**\*\*\*\* The SOPs shall be reviewed from time to time and suggestions regarding changes, if any shall be put forward to the GSCC/DWCD.**

## **II) When the child comes either alone or with an NGO/Adult directly to the police**

Stage 0	Commitment of Crime under Goa Children’s Act				
Stage 1	Complaint		Information		
	*The first response should be to make the child comfortable.	Parents /guardians	<u>VICTIM</u> ↓	NGO	*The immediate needs of the child need to be assessed and catered to by the police. Ask for assistance from the VAU and contact the VAU immediately.
			↓	Police to maintain a directory of accredited NGOs	
Stage 2	* Advise / assist in medical emergency * Advise Dos & Don’ts for medical evidence. * Legal Officer of VAU to provide necessary support (in person / through telephone/fax)		Police	*The FIR should be registered in consultation with the Legal Officer of the VAU. If the Legal Officer cannot come to the police station immediately, his/her opinion will be taken by telephone/fax.	
			VAU ↓		
			FIR ↓		
Stage 3	FORENSIC EXAMINATION TO BE CONDUCTED AT THE FEU* (IO and the VAU team to accompany the child)				
	Forensic interview of		Physical / genital examination.		

	Parent/ Guardian	Child	<ul style="list-style-type: none"><li>* Use of Sexual Assault Victim Examination kit as well examination scheme and report as in specified formats.</li><li>* Use of colposcope</li><li>* Use of photography</li></ul> <p><b><u>Collection of material of evidential value:</u></b> Mandatory: vaginal swab, smear slide, pubic hairs, clothes, DNA</p> <p><b><u>Investigations:</u></b> For age, STD,HIV, DNA, Bite Marks etc. <b>(The child to be accompanied by the Counsellor/legal officer of the VAU)</b></p>
Stage 4	<b>The Child may be referred to either A) or B) or C) depending on the assessment by the VAU in consultation with the child and/or support person</b>		
	A) Along with the police for completion of further investigation like blood grouping at blood bank. Scene of crime, additional statement etc... <b>(Case worker / Legal officer to accompany).</b>		B) To hospital ward for admission for treatment or management of medical condition, trauma etc. <b>(At this stage the Case worker and/or counsellor needs to be present with the Child)</b>
	<b>C) HOME / PROTECTION HOME/FIT INSTITUTION(registered under JJ Act)</b> <b>(Decision by case worker / counsellor. Coordinator to be authorised to by DWCD to admit a child to Apna Ghar/ Fit Institution registered under JJ Act/GCA)</b>		
	<b>In case of A) the IO has to follow due procedures and take the assistance of the VAU for investigation and collection of evidence/information related to all aspects of the case.</b>		
	If child is required for additional investigation by the police, legal officer / case worker / counsellor from VAU to accompany the child as and when required. The IO along with the team of experts and VAU to visit the scene of offence to and ensure that the evidence collection kit is taken to the scene of crime and used. Statement of witness to be recorded u/s 164 Cr. P.C. <b>(Responsibility of the IO to ensure that personnel from the VAU are with the child at each of these stages)</b>		
Stage 5	VAU for counselling assistance / rehabilitation etc. By Coordinator / case worker and / counsellor		
Stage 6	Receipt / details of all reports or investigation including CFSL reports.	<b>Case conference</b> to be called by the Coordinator of the VAU (Schedule for case conferences to be decided by the Coordinator in consultation with other VAU members) <b>Police to be present at all case conferences.</b>	
	<b>CHARGE SHEET OF CASE: VAU to get copy officially from the Police.</b>		

<b>Stage 7</b>	<b>TRIAL STAGE: Summons to witness / child</b> <b>Role of Police:</b> To maintain contact with the VAU and provide them with any fresh information as and when received by the police that would help in the prosecution or in making decisions regarding the child's rehabilitation and safety. <b>Role of VAU:</b> to remain in contact with Directorate of Prosecution & witness and explain to the witness and/or child all the procedures of the trial and implications of the same. Conduct a mock trial before the actual trial in order to make the child comfortable with the processes in court.
<b>Stage 8</b>	<b>EVIDENCE in court by expert witness</b> <b>Role of VAU:</b> if discrepancy / defect/ in Expert's evidence (like doctor, CSFL scientist etc.), get back to them, get scientific clarification / explanation in form of scientific / medical literature.
<b>Stage 9</b>	<b>ARGUMENTS ON THE CASE</b> <b>Role of VAU:</b> get maximum citations/authorities in support of prosecution. The Legal officer and case worker shall be in touch with the DOP right through the trial and offer assistance in the best interest of the child.
<b>Stage 10</b>	<b>JUDGEMENT ON THE CASE/ At This stage the DOP in consultation with the VAU/Police, can file for Compensation/Revision/Appeal depending on the outcome of the case.</b>
<b>Stage 11</b>	<b>FINAL CASE CONFERENCE</b> <b>To be called for by the Coordinator.</b> The DWCD/GSCC/DOP/Police/Forensic experts/ NGO representative who may be involved with the case/ JJ functionaries and anyone connected with the case or with the procedures at any of the above stages may be called for such a conference in order to evaluate all procedures followed at each stage by the VAU and the law enforcement agencies in order to improve the processes in child care and protection and in conviction of offenders.

\* FEU: Forensic Examination Unit.

\*\* The VAU shall in consultation with the Police, Forensic experts and Prosecution, try and record the statement of the child only once. A Panel shall be constituted that shall include all concerned authorities for this purpose, and an attempt shall be made to record the statement of the child before such a panel to avoid multiple recording of statements.

\*\*\* The VAU shall call for a minimum of three case-conferences, once during the pre-trial stage, once during the trial and once after the trial is over. The VAU may call for additional case-conferences as and when the need arises.

\*\*\*\* The SOPs shall be reviewed from time to time and suggestions regarding changes, if any shall be put forward to the GSCC/DWCD.

### **III) When a child in need of care and protection living at Apna Ghar /Fit Institution discloses that she/he is a victim of a crime:**

- The Superintendent/Probation Officer/CWC/Person in-charge of Fit Institution shall contact the VAU immediately.

- The CWC/Fit Institution will prepare a report of the nature of information disclosed by the child and any other information that it has about the child and submit the same to the VAU.
- The VAU will then follow all the stages as listed in **I)** above.
- The VAU will maintain contact with the CWC/Fit Institution at all stages and the CWC/Counsellor and the Superintendent of Apna Ghar/Fit institution shall attend case-conferences as when required.
- The Counsellor of the VAU will collaborate with the Counsellor at Apna Ghar/Fit Institution in order to ascertain the nature of help and intervention that the child needs and will take decisions regarding what needs to be provided to the child in a collaborative manner in the best interests of the child.
- The VAU will decide about the rehabilitation of the child in consultation with the CWC/Fit Institution.

**\*\*\*\* The SOPs shall be reviewed from time to time and suggestions regarding changes, if any shall be put forward to the GSCC/DWCD.**

**IV) When the police along with the VAU rescue a child from any abusive situation (potentially or actually abusive) (domestic violence, sexual trafficking, labour, from the streets to protect the child from vulnerability.**

- The request for rescuing a child may come from any individual/NGO/Childline/ Anti-Human trafficking Unit/WCPU or the VAU.
- The police and the VAU will collaborate in the efforts to rescue the child/children.
- The protocols for rescue (Appendix II) shall be followed at every stage by both the VAU and the Police in order to ensure the best interests of the child/children.
- The processes to be followed after the rescue shall be as listed above in **I)** and **II).**

**\*\*\*\* The SOPs shall be reviewed from time to time and suggestions regarding changes, if any shall be put forward to the GSCC/DWCD.**

**V) When a doctor of a government hospital discovers that a child is a victim of a crime under the GCA, he/she shall inform the VAU immediately, the VAU shall then proceed with the SOPs as outlined above in I).**

**\*\*\*\* The SOPs shall be reviewed from time to time and suggestions regarding changes, if any shall be put forward to the GSCC/DWCD.**



## **APPENDIX II**

### **PROTOCOLS FOR RESCUE\***

- Form a rescue team that consists of the Police (Nodal Officer of the Anti-Trafficking Unit)/Designated Special Police Officer under the ITPA, a lady police officer, members of the VAU (Counsellor/Case-Worker), member/s of an accredited NGO, and decoy customer/s. (The number of members of the rescue team shall depend on the number of children to be rescued and by the nature of the rescue operation).
- The Rescue team shall appoint one person as a Team Leader.
- Prepare a Strategic Plan for the Rescue Operation that should involve minimum loss of time. The Plan should include the following:
  - a) Compilation of all available information. Seeking the help of key informants about the exact location where the child/ children are being confined/ its specific characteristics, the number of people involved from whom the child faces a threat/danger and has to be rescued from, the nature of danger that the child is or may be exposed to, the immediate assistance (medical/counselling/any other) assistance that the child/children will need during/after rescue, etc.
  - b) Maintain confidentiality and secrecy of the rescue operation. All members of the rescue team should gather at a common place at least two hours before the rescue operation.
  - c) To prevent leakage of information prior or during the rescue operation, the person in-charge of the rescue team shall take into custody any mode of communication (such as mobile phones) belonging to the rescue team members.
  - d) The strategy/plan that is to be adopted for the rescue and the various stages/steps should be explained to all members and each member should be explained in detail about her/his specific role.
  - e) Formation of sub-teams should be done according to the size of the area to be covered and depending on the nature of the rescue operation and the number of the children to be rescued.
  - f) Under no circumstances shall the decoy customer/s be exposed before/ during and after the rescue operations.
  - g) Under no circumstances should the rescue operation be revealed to any person(s) other than those who constitute the rescue team. If the media happen to get word of the operation, they should not be allowed to cover the rescue operation.
- The VAU shall verify vacancies Apna Ghar/Protective Home/ Fit Institutions before the rescue operation in order to ensure that the rescued child/children are taken as soon as possible to a place of safety. Here too confidentiality is to be maintained as the said institution is NOT to receive any information about the rescue operation.
- Before conducting the rescue operation, all police formalities need to be completed.
- During the rescue operation, male members of the rescue team shall not physically touch the child/children or their belongings and female members of the team should interact with the child/children. Similarly, in case of male children, it is advisable that the male members of the team should take over this responsibility.

- During and after the rescue operation, members of the rescue team shall not use abusive/inappropriate language, shall not make unnecessary physical contact, unwelcome gesture or use physical force or cause physical harm to the child/children.
- Seize all records /documents from the place of confinement and from the accused (and any other material) as these would form important part of the material evidence in Court.
- Identity of the child/children is to be kept confidential and the names, addresses, photographs, or any other information that may compromise the safety of the child shall not be published in any newspaper, newsheet or visual media. This is mandatory as per the provisions of the JJ Act.
- Identity of the decoy customer/s shall also be kept confidential.
- The rescue team members shall be accountable to the Team Leader and any violation of the rights of the child/children should be dealt with in an appropriate manner as per the provisions of the Goa Children's Act/JJ Act/Any other Law that may be applicable.
- Post Rescue, the child/children should be separated from the accused by sight and sound. The child/children and the accused to be taken in separate vehicles.
- Do not keep the child/children in the lock-up under any circumstances. The child/children should be immediately taken to a certified place of safety.
- The child/children to be produced before the CWC within 24 hours of the rescue operation being carried out.
- Document the rescue operation in the diary, in the presence of two independent witnesses and get it signed by them for authentication.
- The FIR should be immediately registered. The VAU and the Police can then follow the protocols/SOPs as outlined in Appendix I and III.
- A copy of the FIR to be given to the VAU
- The Functionaries of the Fit Institution/Protective Home/Apna Ghar to ensure that the child does not come into contact with any of the accused and persons that could endanger her/his safety/well-being.
- The Child/Children should have immediate access to standardized counselling, health care and legal aid (to be provided for by the VAU).
- VAU member shall accompany the child whenever, he/she needs to leave the place of safety.

**\* These protocols have been drafted on the basis of the Protocol for Pre-Rescue and Post- rescue operations of Child victims of Trafficking, published by the Department of Women and Child Development, Ministry of Human Resource Development, Government of India (2005)**

## **APPENDIX III**

### **APPENDIX III (A)**

#### **PROTOCOLS OR THE POLICE**

1. Primary function is to register complaints, investigate, collect evidence, assist the prosecution and the police shall collaborate with the VAU in all stages as outlined in Appendix I.
2. Police to report immediately to coordinator of VAU of respective district (North/South) on receipt of complaint of a Child rights violation.
3. As far as possible police should secure the presence of VAU during the recording of the F.I.R
4. In all cases of complaints made by children, the case to be registered /investigated by Officer-in-Charge of Police Station.
5. Until the arrival of VAU, the child should be made comfortable by the police officer of the police station.
6. All statement of victim / witnesses to be recorded in the presence of the VAU in a child friendly manner and environment.
7. Complaint / statements of victim / witnesses to be video / audio recorded by the police and in the absence of such facilities with the police, assistance of VAU shall be sought.
8. In the absence of video / audio facilities as stated in (clause 7) above, the Complaint/ statements shall be recorded in the language known and understood by the victim/ witnesses and shall be recorded in verbatim.
9. The Police to ensure that the victim is not confronted by the accused or his family/associates at any point of time either at the police station or during investigation
10. Police to provide protection to the child/witnesses in consultation with the VAU.
11. Police to ensure that the VAU accompanies the child during medical examination.
12. Police to ask for assistance from the VAU during all stages as outlined in the SOP's in Appendix I.
13. The police in consultation with VAU shall place the victim in a place of safety pending investigation/ rehabilitation.
14. I.O to be present for case conferencing arranged by the VAU with all the case papers before filing of the charge sheet.
15. I. O to provide a complete copy of the charge sheet to VAU before filing the same in court.
16. The Police to provide assistance/ support to VAU as and when called for.
17. Police officers investigating cases relating to child rights' violations shall continue to investigate and complete all investigations even if they are transferred.
- 18.** Confidentiality to be maintained by the police with respect to identity and other details of the victim/ case.
19. In all cases of child rights' violations, the scene panchanama investigation kit to be taken by the I. O. to the scene of offence.
20. The police officer shall adopt child friendly procedure throughout investigation keeping in view the best interests of the child.
21. To Follow the Standard Operating Procedures as outlined in Appendix I.

### **APPENDIX III (B)**

#### **PROTOCOLS FOR THE PROSECUTION**

1. DOP should provide training and consultation to the VAU from the time of registering the FIR through all the procedures including investigation and trial
2. DOP to take assistance from the VAU as and when required.
3. DOP to advise VAU on all legal matters from time to time
4. DOP to assist VAU in informing/familiarizing the child with court procedures.
5. DOP to ensure the presence of the PP representing the child at all case conferences called by the VAU.
6. In cases of conviction, DOP to apply for compensation in consultation with the VAU.
7. After the disposal of case, the DOP along in consultation with VAU to assist the child to file appeal, revision and compensation claims if any.
8. To follow Standard Operating Procedures as outlined in Appendix I

## **APPENDIX III (C)**

### **PROTOCOLS FOR NGOs**

#### **NGOs involvement in handling cases may be as follows:**

- (a) Handle cases in entirety, informing the VAU Coordinator about basic details about cases in which they are lodging a complaint so that the VAU can keep records/details about the nature of the complaint and the progress made. The NGO shall inform the child/parents/support persons about the option of the VAU in order to facilitate them to take informed decisions about the option of taking assistance from the VAU.
- (b) It is not mandatory for the NGO to inform the VAU about the cases in which the complainant chooses not to file/lodge a complaint. However all NGOs could maintain a standardized format for recording the types of cases (non-registered) that come to them. They could provide quarterly reports to the VAU about the same. (Rationale: VAU is to maintain data-base of all complaints filed, cases registered and could also maintain a data-base of complaints that have not been filed although an offence had been committed)
- (c) Refer cases to the VAU and assist the VAU through all the stages as outlined in Appendix I.
- (d) Handle the case of a child but ask for specific assistance from the VAU, such as legal assistance or counseling -- NGOs will be accountable to the VAU in such cases.
- (e) Offer assistance in writing to the VAU Coordinator if it comes to know of a case in which it is in a position to help in the social investigation or in any other way. The VAU Coordinator in consultation with the VAU team can accept/decline offer of help after examining the offer of assistance, giving suitable reasons for the same.
- (f) NGOs should attend case conferences for all cases referred to the VAU by them/cases in which their offer of assistance has been accepted by the VAU, and share the information which they have collated and which may not be known to the other members of the team (police, VAU, prosecution). NGOs will be accountable to the VAU in such cases.

#### **Circumstances in which VAUs may contact NGOs:**

- (a) To conduct social investigations and to do a home study of the child's situation in a prescribed standardized format within a specific time-frame and/or to interact with the child and his/her family.
- (b) If the child's first point of contact is with the VAU it could seek help for the child from an NGO / individual which has a specific area of expertise and would be able to provide assistance because of such expertise for eg., NGOs may specialise in domestic violence, sexual offences, travelling sex offenders, working with mentally/visually challenged children / hearing impaired children; or is situated in close proximity to the child etc. In such cases their assistance in the case could be valuable. VAUs should maintain a taluka-wise data-base of organisations/individuals and their expertise.
- (c) In cases where the VAU has taken assistance from the NGO or when the NGO has referred the case to the VAU, the VAU shall collaborate with the NGO and will keep the NGO informed about the progress of the case at regular intervals and will invite the NGO to participate in the case-conferencing keeping in mind the best interests of the child.

(c) To facilitate inter-state communication / networking.

(d) For language skills, as interpreters / translators – the VAU could maintain a list of NGOs/individuals who have specific language skills and the ability to interact with children, who could be called to assist when required.

(e) For capacity building / sharing information with the VAU on their area of expertise.

### **PROTOCOLS FOR NGOs:**

1. Whereas any individual/NGO may refer a child to the VAU, NGOs interested in assisting the VAU/managing cases should be accredited as per the prescribed procedures.
2. In cases that NGOs are handling in their entirety (as outlined above in 1 (a)), the NGO will follow the protocols drawn up for the VAU (as outlined in Appendix I) , assisting the child at every stage throughout the case and also arranging for his/her rehabilitation, with the help of the different agencies/individuals. However, at the outset the NGO should inform the child/her parents / guardians /well-wishers of the option of the VAU.
3. The NGO will be bound by confidentiality of the same degree as the VAU and similarly would be expected to be as child-friendly as the VAU is expected to be.
4. When an NGO is handling a case, it should inform the VAU Coordinator at once. The VAU Coordinator and the NGO shall ensure that there is no unnecessary duplication of roles.
5. The NGOs assisting the VAU with cases will report to and be accountable to the VAU coordinator.
6. The NGO shall attend case-conferences as and when asked to by the VAU in all cases referred by the NGO to the VAU or in cases where the VAU has asked the NGO to provide assistance/specialized services.
7. There should be coordination between all the counsellors (NGO, VAU, Fit Institutions) as the child should not be retraumatized relating events to each counsellor but the counsellor whom the child is close too can assist the others through case conferencing.
8. All counsellors to submit a brief report on each case they are dealing with according to the prescribed standardised format to the VAU.
9. NGOs handling cases with the assistance of the VAU would be expected to report to the VAU on the progress of the case as per the prescribed format
10. There has to be a formal closure of case with the NGO's signature where the case is seen as no longer requiring suo motto follow-up from the VAU.
11. If an NGO has a complaint about the manner in which the VAU is functioning, a complaint can be made to the State Commission for Children to look into the matter and a monitoring body that is constituted by the GSCC.

### **APPENDIX III (D)**

#### **PROTOCOLS FOR FIT INSTITUTIONS**

1. Fit Institutions/Apna Ghar/Protective Home can approach the VAU for any assistance ie. Legal/counselling/or both.
2. Clear communication in writing should be made mandatory for any institutions networking with the VAU and vice versa keeping in mind the best interest of the child.
3. Apna Ghar (CWC) and other Fit institutions/ Protective Home shall admit a child on receiving such a request from the VAU Coordinator.
4. The entire VAU team should have rights to visit any child at Apna Ghar/Protective Home/ other Fit institutions.
5. All counselors at the Fit Institution/ Apna Ghar involved in a case are accountable to the VAU and shall follow procedures put down for confidentiality.
6. There should be coordination between all the counsellors (NGO, VAU, Fit Institutions) as the child should not be retraumatized relating events to each counsellor but the counsellor whom the child is most comfortable with shall assist the others through case conferencing.
7. All counsellors to submit a brief report on each case they are dealing with according to the prescribed standardised format to the VAU.
8. Fit Institution's/ Apna Ghar's counsellor shall assist in implementing the ICCP (Individual Child Care Plan) that has been prepared and submitted by the VAU and escorting the child to the court as and when required.
9. Procedures to be worked out for Apna Ghar/ Fit institutions in protecting the safety and identity of the child for example: The child should not be wearing the institution's uniform while coming to the court as it gives away the identity of the place the child is housed at and is not safe for the child, also while dealing with the media, the confidentiality provisions of the JJ Act shall be adhered to.
10. In order to protect the best interests of the child, Fit Institutions/ CWC/ Protective Home to seek permission from VAU in writing before the release of the child or for allowing any visitor to meet the child when the child has been admitted by the VAU or NGO associating with VAU on the case.
11. If a child escapes or is missing from the institution, the institution shall inform the VAU immediately and a missing complaint to be filed by the institution with the police station of that jurisdiction.
12. Fit Institutions/ Apna Ghar/ Protective Home shall send a representative in charge of a particular case to attend case-conferences as and when called for by the VAU.

## **APPENDIX III (E)**

### **Protocols For Forensic Examination:**

1. Place of examination: The child shall be examined at the Goa Medical College. (Forensic Examination Unit FEU, requirements as per Annexure A)
2. Examination procedures:
  - a) **Sexual Assault Victim Examination Kit (SAVE)** (As per Annexure B) shall be used.
  - b) Video-recording, digital photography and mobile/digital X-ray camera.
  - c) Proformas for consent, examination and documentation: modified WHO format (as per Annexure C)
3. Collection, preservation and dispatch of material of evidential value: All the collected material shall be kept in safe custody till the time it is dispatched through police.
4. The FEU shall ask the V.A.U. to make arrangements for alternate set of clothes for the victim, in case clothes are to be preserved for evidential purpose.
5. Preliminary Counseling of the child and/or family shall be done by VAU (Counselor / Caseworker) at the Counseling room of the Forensic Examination Unit (FEU) at Goa Medical College.
6. Admission in hospital only on a case-to-case basis requirement.
7. Rehabilitation: VAU shall make necessary arrangements for appropriate rehabilitation either at hospital / special center or shelter/ fit institution (as per Appendix I)
8. Follow up of the victim to be done by VAU in various departments (for conditions such as Pregnancy, STDs, Tuberculosis, Mental and behavioral disorders or trauma etc.)
9. Final Report: VAU shall coordinate between all concerned persons and departments to get reports (for example reports from the CFSL etc.) so as to help the forensics doctor to give the final report.
10. Case conferences: Doctor shall attend the case conferences arranged by the VAU as and when called for by the VAU Coordinator.

### **GUIDELINES FOR CONDUCTING THE FORENSIC INTERVIEW\*:**

- Be soft spoken, remain relaxed and, avoid intimidatory gestures.
- Keep the questions short and specific.
- Make the child comfortable and allow parents/accompanying support person to be present during the interview keeping in mind the best interests of the child.
- Interview must be conducted in the language that the child is conversant with, either directly by the FEU Team or with the assistance of an approved/trained/oriented interpreter.



## **Annexure A**

### **Requirements of Forensic Examination Unit (FEU)**

#### **Objectives:**

1. To provide facilities for physical and genital examination of child and person accused of sexual offences.
2. To provide laboratory support like microscopic examination, x-ray, photography etc.
3. To ensure adequate infrastructure to maintain privacy, secrecy and dignity of examined person/s.
4. To ensure children friendly infrastructure.
5. To provide infrastructure to preserve and transport material of evidential value.

#### **ESSENTIAL REQUIREMENTS**

1. Notified format for documentation and consent: Modified WHO format
  - a) Digital format (hard and soft copy to be maintained)
  - b) Soft copy needs to be sent to VAU coordinator IMMEDIATELY so that it can be included in the confidential database for that specific case.
2.
  - a) Panel of doctors: To form a Core panel comprising of doctors from the Forensic, Gynecology, Pediatrics, Radiology, Dentistry, Psychiatry departments.
  - b) VAU Coordinator is responsible for contacting panel doctors on duty for each case.
3. Case Worker (female) / Counselor attached to VAU must be present in FEU throughout the period that the child is there
4. Nursing staff (one male, one female) who have undergone training in forensic nursing should be attached to the VAU
5. Examination chair (similar to dental chair)
6. Gynecology examination table and appropriate light arrangements
7. Colposcope
8. Digital photography for documentation and as evidence material
9. Audio visual recording system especially for recording and observing forensic interview
10. Digital X ray facility particularly for age assessment
11. Clothes sets to be kept ready if child's clothes are to be preserved for forensic examination
12. Sexual Assault Victim Examination Kit (SAVE Kit) as per annexure
13. Storage and transportation of preserved material: refrigerator, freezer, vaccine carrier / cold box etc.
14. Counseling room to be appropriately furnished and located within the FEU

## Annexure B:

### SEXUAL ASSAULT VICTIM EXAMINATION KIT

#### SAVE KIT

- 1 Check list of item provided in the list
- 2 Instructions regarding use of kit
- 3 Composition of kit

Tools assisting  
1 examination

Disposable speculum (paediatric size)  
Disposable gloves  
Sterile teflon swabs  
microscope slides  
Normal Saline  
Comb with catchment papers  
Scissor  
White paper sheet while removing clothes  
Sterile cotton

For collection of  
2 materials

Paper envelopes for collection of hair, cloth fibres,  
nail Clippings etc.  
Brush  
Forceps  
EDTA bulb for blood  
Biochemistry bulb for Alcohol, substances of abuse.  
Big envelope/s for clothes

Pubic hairs, nail  
clippings,  
Foreign substance  
etc.

For  
3 investigations

Dye/stains  
Urine test kit for pregnancy,  
Vacutainers for blood collections

Sterile swab culture tubes

For maintaining chain of  
4 custody

Swab guards

Stickers having printed labels

**First Aid Kit:**

Suture materials

Sterile guaze & cotton

Iodine & Spirit

Leuco plast and bandages

Scissor, scalpel blades, forceps

**Annexure C:**  
**CONSENT FOR MEDICAL EXAMINATION \***

Place:

Date:

Time:

To,

Dr

and personnel associated with

FORENSIC EXAMINATION

UNIT

Goa Medical College, Bambolim - Goa.

I, .....hereby do give / do not give free and voluntary consent to examine myself / my child / relative (specify relationship with the survivor ) for assement of age, opinion as regards commission of sexual act, and injuries present on person, knowing fully well that result of this examination / refusal of examination may go against me and my interest.

I fully know that this examination will include a physical examination which may involve an examination of mouth, breast, genitals, anus and rectum; in addition it may include the removal and isolation of articles of clothing, scalp hairs, foreign substance on body surface, nail clippings, saliva and samples taken form genitals, anus, rectum, oral cavity and collection of pubic hairs, blood samples. I also give free and voluntary consent to document and disclose history, given by me / my ....., in medical examination report.

I am also aware that I am free to revoke all or any part of this consent at any part of my examination, knowing fully that such act of mine may go against my interest. The content of the above has been explained to me in ..... Language which I understand and I hereby affix my signature as consent.

Name & signature of witness

(Name and signature of child)

(Name & signaure of relatives, in case  
victim cannot give valid consent)

\* VAU to explain contents / procedure to the child / support person.

**REPORT OF MEDICAL EXAMINATION IN SEXUAL**

**Forensic Examination Unit**

**Goa Medical College  
Bambolim- Goa.**

Sr. No. FEU/GMC/       /

Date:  
Time:

Name: \_\_\_\_\_ s/d/w/o \_\_\_\_\_

Residence: \_\_\_\_\_ Age: \_\_\_\_\_

Referred by: \_\_\_\_\_ VAU / \_\_\_\_\_

Examined in presence of \_\_\_\_\_

Consent for medical examination: \_\_\_\_\_ Given /Not given \_\_\_\_\_

Identification marks \_\_\_\_\_ 1 \_\_\_\_\_

\_\_\_\_\_ 2 \_\_\_\_\_

Brief narration of incident in child's own words: \_\_\_\_\_

--

**Menstrual History:**

Menarche	Cycle	Menses	LMP	Gravida

Contraception:	Yes / No			

Pregnancy:	Yes / No	If yes : period of gestation		

If incident is more than two weeks,

Urine test for pregnancy: Positive / Negative

**Mental status:**

**General development of body:** \_\_\_\_\_ **Height** \_\_\_\_\_ **Weight** \_\_\_\_\_ **SMR: Breast** \_\_\_\_\_ **Axillary** \_\_\_\_\_

**Injuries on the body:** \_\_\_\_\_ (If present give site, size, duration, causation & nature)


Condition of clothes worn: \_\_\_\_\_ whether \_\_\_\_\_ Changed / Not changed \_\_\_\_\_

Descriptions	Preserved

Signature of Medical Officer

FEU/GMC/  
/ /

**GENITAL EXAMINATION:**

Development: SMR (Tanner's classification) Stage I/II/III/IV/V

Condition of pubic hair

Injuries on inner aspect of thighs:

Bruises or abrasions on genital area: Yes / No

Describe

State of sphincters: Normal / Abnormal

State Condition

State of perineal musculature: Normal / Abnormal

State Condition

Labia Majora: Normal / Abnormal

State Condition

Labia Minora: Normal / Abnormal

State Condition

Fourchette and introitus: Normal / Abnormal

State Condition

Anus and rectum: Normal / Abnormal

State Condition

COLPOSCOPY examination Yes / No

Findings:

Vagina	
Cervix	
Fornices	
Uterus	
Hymen	

Per vaginal Digital Examination

Yes

No

Findings:

Vagina	Walls	Contents
Cervix		
Uterus		

Any other findings:


**List of biological material preserved for evidential value:**


**OPINION:**


Referred to:

--

Receipt:	
	Signature of Medical Officer Name / Designation.

### SEXUAL ASSAULT HISTORY FORM:

FEU/GMC/ / Date: /

Name: s/d/w/o

Naration of incident in victim's own words:

--

Location of assault:

Date and time of assault

Number of assailants and name/s	Whether known to assailant Yes No	
------------------------------------	--------------------------------------	--

Relationship to victim: If yes, state how:

No

Since assault were clothes changed ?

Yes	No
-----	----

If yes, are they  
available?

Whether they were washed / repaired?

In cases of oral sex only, since assault whether person has

1. Eaten food  
2. Ingested fluid  
3. Smoked  
4. Gargled

Has the child left any marks on injury on the body of the assailant/accused during the assault & vice versa? Yes / No	
---	--

If yes, give details:	
-----------------------	--

Since assault whether person has (tick) 1. Eaten food 2. Ingested fluid  
3. Smoked 4. Gargled

If injuries present on child, give details of causation/ weapon or objects used:	
--	--

**FEU/GMC/ / /**

Details regarding penetration: Was penetration attempted by penis, fingers or any other object?

(Note use Y = Yes, N= No, DK = Don't know )

	Attempted Penetration			Complete Penetration			Emission of semen		
by	Penis	finger	object	Penis	finger	object	Yes	No	Don't know
Vaginal									
Anal									
Oral									

Was Oral sex performed by assailant on victim	Yes	No	Don't know
Masturbation of victim by assailant	Yes	No	Don't know
Masturbation of assailant by victim	Yes	No	Don't know
Did ejaculation occur outside body orifice/s	Yes	No	Don't know

If yes, describe location/s:

Kissing, licking or sucking of breast or other parts :	Yes	No	Don't know
If yes, describe:			
Was condom used?	Yes	No	Don't know
If used, was condom torn ?	Yes	No	Don't know
Was lubricant used?	Yes	No	Don't know

If penetration was attempted by object, describe the object:

Was last previous intercourse within one week prior	Yes	No	Don't
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to the assault (other than sexual assault)			remember
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Was victim menstruating at the time of sexual assault?	Yes	No	Don't Know
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Was victim menstruating at the time of examination?	Yes	No	Don't Know
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Between the assault and the time of the examination did the patient:

		Yes	No	Don't know
	Bathe			
	Douche			
	Void urine			
	Defecate			
	Use spermicide			

Since the assault has there been any vaginal discharge / bleeding?

Yes / No / Don't Know

Prior to the sexual assault has there been any vaginal discharge / bleeding?

Yes / No / Don't Know

Signatures / Name / Designations Dr's.

Signature of victim

## **APPENDIX IV**

### **VAU ACCOUNTABILITY, ADVISORY COMMITTEE MONITORING COMMITTEE**

#### **ACCOUNTABILITY**

1. Each VAU member must maintain a daily diary and submit a weekly report to the Co-ordinator in the proforma specified.
2. The Co-ordinator should file a monthly/quarterly report to the Directorate of Women and Child Development, with a copy to the Goa State Commission for Children in the proforma specified.
3. The VAU is bound to respond to a summons from the Goa State Commission for Women or the Goa State Commission for Children or any other State Commission which is seized with a case of crime/violation of rights of a child, in connection with a case or its overall functioning.
4. Every VAU member is accountable to the VAU coordinator and the parent department shall be the Directorate of Women and Child Development.
5. Each VAU member however also has accountability, material to his/her respective post, as follows:
  - (a) Co-ordinator: to the DWCD/GSCC
  - (b) Counsellor: to the Coordinator (in consultation with other VAU staff)
  - (c) Case-worker – to the Coordinator (in consultation with the various specific persons involved in handling the case, i.e. the police, NGO, counselor, legal officer)
  - (d) Legal Officer – to the Coordinator (in consultation with the Director of Prosecution)
6. The general Database of VAU can be accessed/inspected by members of the public, and information provided suo motu from it and on request, as per the provisions of the Right to Information Act. The Confidential database, i.e. specifics of each case is exempted from disclosure in terms of the Right to Information Act.

#### **ADVISORY COMMITTEE TO THE VAU\*:**

The Advisory Committee constituted by the GSCC should comprise of:

- 1) Nodal Protection Officer for Children, Directorate of Women and Child Development,
- 2) Director, Prosecution,
- 3) Director General of Police/ SP (CID)
- 4) Nodal Officer of the Anti-Human Trafficking Unit of the Goa Police.
- 5) Forensic expert

- 6) NGO Representative
- 7) Institution Representative (Apna Ghar/Fit Institution/ protective Home)
- 8) Member-Secretary, Women and Child Protection Unit of the District Court, or its representative
- 9) Representative of Child Welfare Committee
- 10) Representative of Juvenile Justice Board
- 11) Representative of Protection Officers appointed under the Protection of Women from Domestic Violence Act, 2005.
- 12) At least one member from the GSCC

Should for the initial period of one year on the VAU being set up, meet once a month; thereafter the Advisory Committee should meet once in three months.

At these meetings, the VAU coordinator should be present and the Co-ordinator should present a Report (that is jointly prepared by the VAU staff) to the Advisory Committee along with the difficulties that arose. The agenda of the meeting would be to take periodical stock of the functioning of the VAU with a view to collectively brainstorm on removing difficulties that pertain to its functioning. Good practices must also be systematically noted.

**\*The Advisory Committee shall be constituted by the GSCC/DWCD and shall function for a period of two years after which its role and need shall be reviewed.**

#### **MONITORING COMMITTEE:**

The Goa State Commission for Children has to monitor the functioning of the VAU and could constitute a Committee of which one of its members is the Coordinator, and shall also comprise of persons who have knowledge and experience in child psychology, law, medicine, and persons with management and financial expertise and involvement in a child protection/rights organization, and who are not directly associated or working with VAU.

The function of the monitoring committee is to review, monitor and make recommendations as regards the VAU and the monitoring should cover

- (1) Orientation
- (2) Functioning – subject, administration
- (3) Accounts
- (4) Observation of Protocols/SOPs
- (5) Inter-Departmental linkages
- (6) Intra-Departmental linkages