

Medical Assessment and Securing of Evidence – Dentistry

Factsheet

**To document evidence admissible in court
is an important step in assisting individuals affected by
domestic violence. ⁽¹⁾**

Understanding what individuals experiencing domestic violence may feel and the fears they may bring to a dental appointment is crucial for making the treatment as comfortable as possible.



Find more
Information on
**Medical
Assessment and
Securing of
Evidence** in
[Module 4](#)



Additionally, it is an essential step to know how to document evidence in a legally sound manner so that it would hold up in a potential legal proceeding. Even if many individuals affected by domestic violence decide to approach the police later, the evidence can still be secured and preserved for a later time.

Medical Examination: ⁽²⁾

- Dental appointments can be perceived as very stressful and burdensome
- Situation may be experienced as a loss of control
- Patients may feel anxious or helpless
- Memories of experienced domestic violence may surface
- Patients may freeze or flinch during the examination
- The treatment should be made as comfortable as possible: explain the procedure in detail, including when and how instruments will be used

Evidence Documentation: ⁽³⁾

- Court-proof documentation is always allowed! ^{(4) (5)}
- However, if this goes beyond dental records, it may only be done with the consent of the patient (e.g. photographic documentation)
- Evidence can be secured and stored for a later time
- Use examination forms, e.g. a forensic dental examination form
- “Dent-Doc-Card” aids in photographic documentation with scale
- If the patient does not consent to further documentation, all dental findings must still be documented in the medical record; even suspicions of domestic violence should be internally documented in the medical record

Procedure ⁽⁶⁾

In the procedure for documenting domestic violence in a dental setting, the dentist first informs the patient about the option for legally sound documentation and seeks the patient's consent.

If the patient **does not consent**, dental findings, including extraoral findings, can still be documented in the medical record in as much detail as possible.

If the patient **consents**, a forensic examination form is utilised, and photographs are taken for documentation.

Documentation should include:

- **Basic Information:** e.g. patient data, individuals present, consent etc.
- **Incident details in the patient's own words:** quote verbatim, using the words of the affected person
- **Injuries in the head, face and neck area:** where? what? how? mark on provided schematics, photographic documentation with scale
- **Dental diagnostics:** injuries to teeth, periodontium, jaw
- **Additional complaints:** other injuries, psychological condition
- **Conclusion:** copy of documentation, recommendation for infection prevention or specialist visit, provision of informational materials

Helpful Sources

They can be found [here](#).

- (1) Bundeszahnärztekammer. Häusliche Gewalt- Umgang mit Opfern häuslicher Gewalt in der Zahnarztpraxis. Zahnarztinformation. As of Juli 2010. Accessed: 05.12.2023
- (2) Jailwala, M., Timmons, J. B., Gül, G., Ganda, K. (2016). Recognize the Signs of Domestic Violence. Decisions in Dentistry
- (3) Bundeszahnärztekammer. Häusliche Gewalt- Umgang mit Opfern häuslicher Gewalt in der Zahnarztpraxis. As of 21.07.2023. Accessed: 05.12.2023
- (4) Graß, H. L., Gahr, B., & Ritz-Timme, S. (2016). Umgang mit Opfern von häuslicher Gewalt in der ärztlichen Praxis. Bundesgesundheitsblatt-Gesundheitsforschung-Gesundheitsschutz, 59(1), 81-87
- (5) Jungbluth, P., Wild, M., Hakimi, M., Betsch, M., Dassler, K., Möller-Herckenhoff, L., Windolf J., Ritz-Timme S., Graß, H. (2011). Qualität der Befunddokumentation und weiterführenden Betreuung von Gewaltopfern am Beispiel einer unfallchirurgischen Notaufnahme einer Großstadt. Zeitschrift für Orthopädie und Unfallchirurgie, 89-97
- (6) Ministerium der Justiz, Saarland. Häusliche Gewalt Erkennen-Behandeln-Dokumentieren (2016)
- (7) Bundesministerium der Justiz. Gesetz zur Kooperation und Information im Kinderschutz (KKG). §4 Beratung und Übermittlung von Informationen durch Geheimnisträger bei Kindeswohlgefährdung. Accessed: 05.12.2023

Pictures:

- (1) Hands: Picture Storeset by [Freepik](#)