

# "Forensic nursing" in Japan.

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# I . Introduction

## Definition of Forensic Nursing

# 1. Forensic Nursing

Forensic Nursing is the practice of nursing globally when health and legal systems intersect.

## Role of the FN

- Member of the scientific investigation team
- Care of victims of trauma
- Health management of sexual aggressors

etc

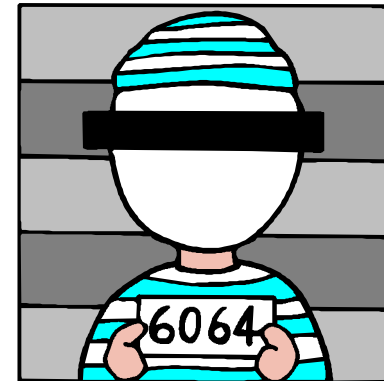
## 2. Legal point of view

Preservation of proof

Examination of sexual violence cases in facilities, autopsy

Cooperation with legal officers in the community level

# ☆ Significance of the development of FM as a Science



Forensic Science  
Management

Reduction of the risk of  
transgressing the human  
rights of victims and  
aggressors

Safety and Advocacy

# 3 . Development of FN in Japan

## Basic education

Emergency nursing  
Disaster nursing  
Community nursing  
Psychiatric nursing  
(care of patients who attempted suicide and victims of trauma)

## Specialty knowledge and skills

\* child abuse, spousal/partner violence, elderly abuse, rape, bullying, etc.

**Nursing assessment and care in case of Spiritual Abuse**

# 4 .Problems in the practice of FN

## Problems related to the Legal System

Appropriateness of Nursing Practice

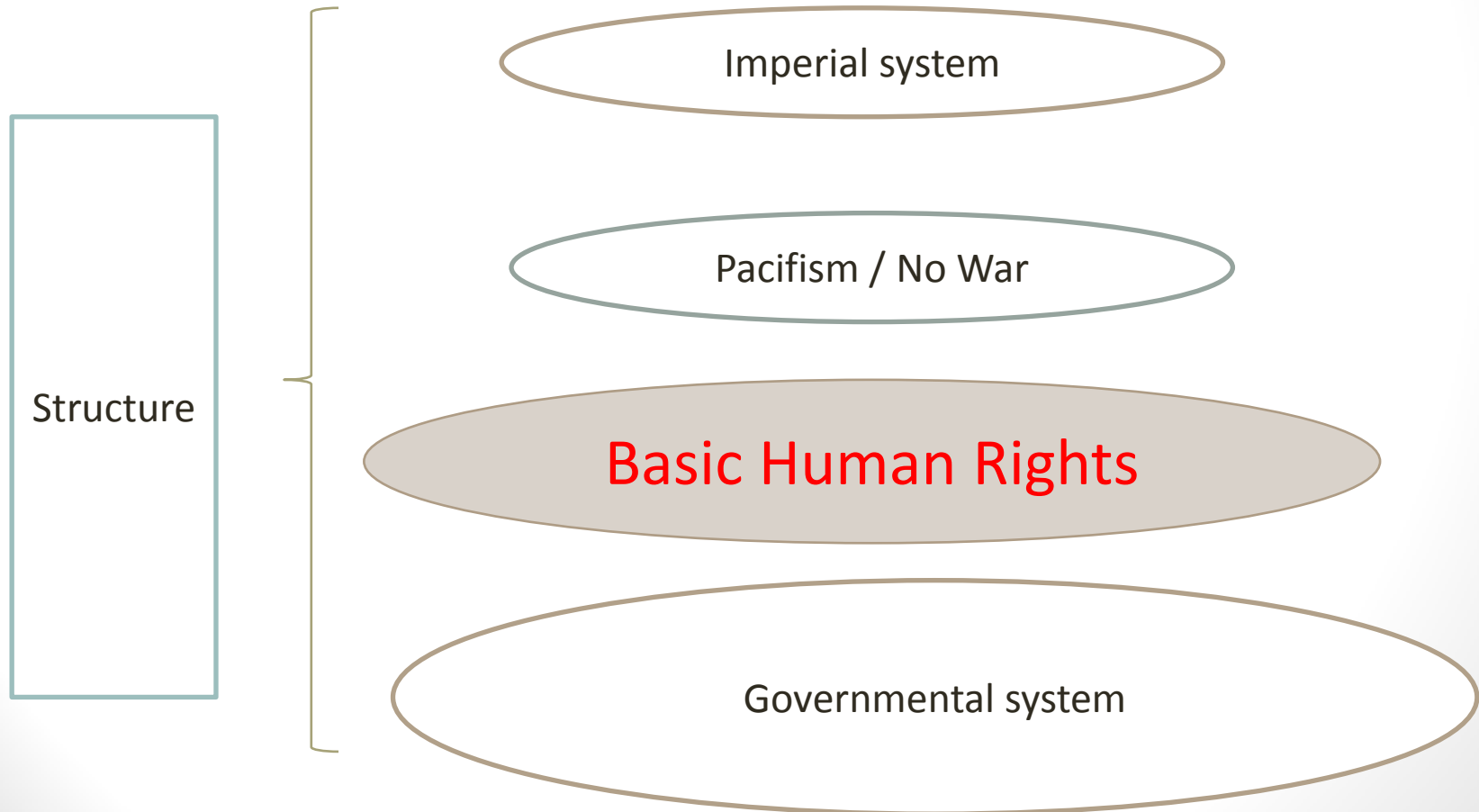
Responsibilities of the nursing professional

## II Legal basis of Nursing Activities in Japan

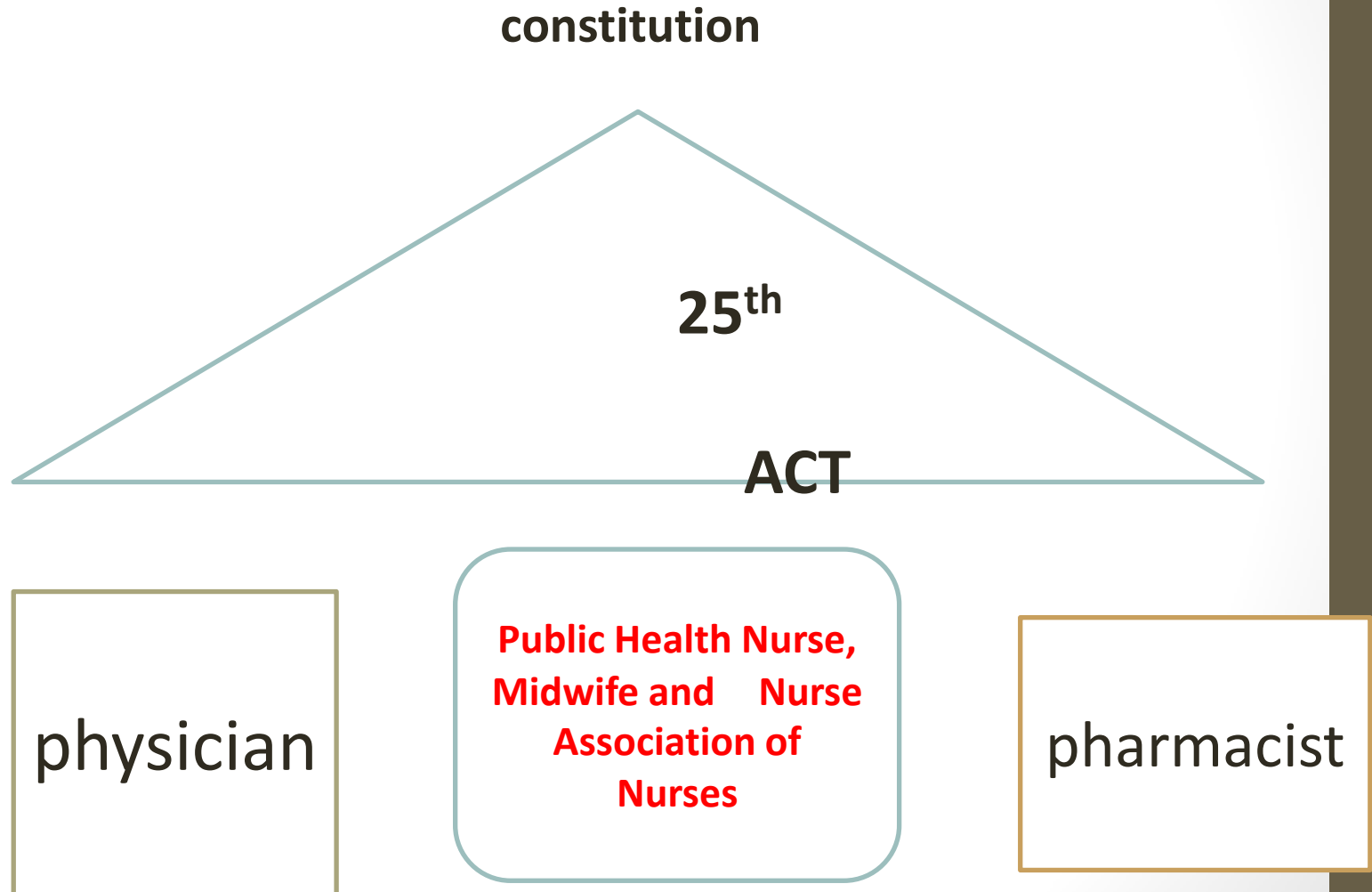


# 1. Nursing in the legal system

## Constitution



## 2. The legal basis of "the nurse"



# 3 . Nurse's Professional responsibility in Japan

Deliver care to persons with injuries and/  
or illnesses or postpartum women

Assist medical treatment under the license of  
the Minister of Health, Labor and Welfare.

# Authorization

- Many organizations and professional societies certify such personnel, credentialing system by **JNA(JAPAN Nursing Association)** is socially recognized.
  - certified nurse specialists,
  - certified nurses and
  - certified nurse administrators

# 4. Nursing Practice in Japan

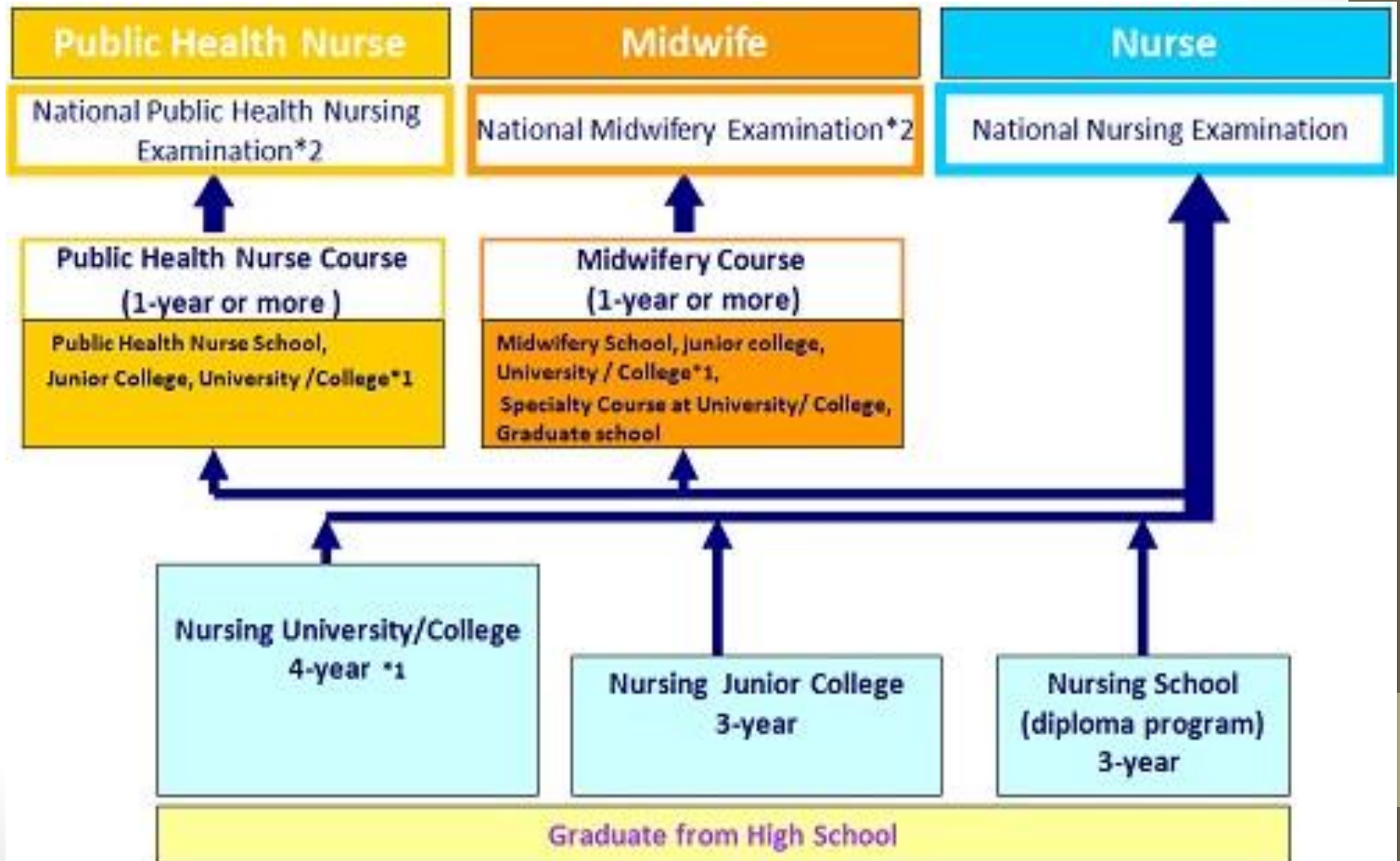
- Number of nurses: 1,500,000 (2011)

Working at medical facilities 1,240,000 (80%)

Working in educational org. 16,000 (1.1%)

Almost no nurses are working in the legal area

# ☆ Main basic nursing education courses



# ☆ Education curriculum of nursing schools

- Foundation studies
- Specialized Basic studies
  - Specializations I
  - Specializations II
- Integration

**☆ Continuing education  
and  
research is conducted**



# 4 . Nursing Responsibilities and Forensic Nursing

- Psychiatric Nurses
- SANE Nurses

# III Forensic nursing practice in JAPAN

# 1 .Forensic Autopsy

- **The Criminal Procedure Act, Article 229**
- **In case of suspicion of unnatural death the exam will be conducted by**
  - 1) public prosecutors**
  - 2) public prosecutor assistant officers+ an MD**
  - 3) a trained police officer + an MD**

# 2 Violence and Abuse

- ① Act on prevention of spousal violence and the protection of victims (2001)
- ② Act on prevention of elderly abuse and support for attendant of elderly persons (2005)
- ③ Child abuse prevention Act (2000 )

\*NO

Sexual Assault Prevention and Crisis Services Act



# Sexual Assault

- Criminal Act

An offender is subjected to prosecution only if the victim presses charges

**No EVIDENCE COLLECTION PROTOCOL**

# Crime

Suspect

arrest

policeman



Investigation

public prosecutor



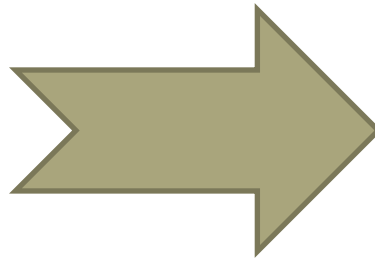
**The Criminal Procedure Act**



# IV For the resolution of the problems

# 1 Interpretation of the Constitution

Forensic  
nursing  
deviates  
from the  
duty of the  
nurse



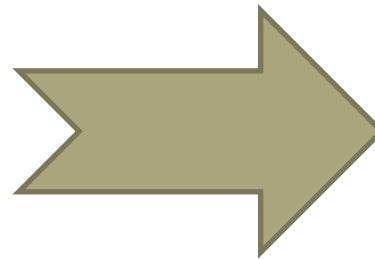
Correctly  
understanding  
the idea of  
Forensic  
nursing



## 2 Handling and confidentiality of the evidence

It is not clear who is the owner of the evidence.

Without patients consent medical staff cannot collect evidence



We refer to the American case

We insist on the merits of nurses being involved

**Public interest**

# 3 Education and training of forensic nurses

Trends in the amendment of the Nurse Practice ACT



We want to learn practical activities and legal system design of the forensic nurse in U.S.A. to overcome these problems.

Thank You