

UCD School of Medicine and Medical Science
Diagnostic Imaging

Scoil an Leighis agus Eolaíocht an Leighis
Ionháineas Fáilteheasta

Completing a Witness Statement

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Irish Institute of Radiography and Radiation Therapy

What is a Witness Statement?


- Contemporaneous notes
 - Notes made at the time or shortly after an event or incident
 - Contemporaneous notes can include:
 - Notebooks
 - Diaries
 - Minutes
- Defined as ***an accurate record, made at the time, or as soon after the event as practicable***. It is a record of relevant evidence which is seen, heard or done, by the maker of the note.

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What makes good notes?

The "C's"

- Consent to produce
- Capacity to produce
- Concise
- Constructed – structured
- Comprehensive – detailed
- Consecutive – ordered
- Coherent
- Confidential



Wilkinson (2011)

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Why complete a Witness Statement / Contemporaneous Notes

- Any doctor or healthcare professionals:
 - May be asked to appear in court (criminal, civil, Coroners court)
 - Must appear as a witness if summoned
 - Will be asked to give evidence under oath or affirmation
 - Evidence provided may be examined by Coroner, legal representative, jury
 - Timing of proceedings after your examination!!
- Law of Tort – any wrongful act / omission

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Extract from IIRRT Guidelines

All Radiographers undertaking forensic examinations should complete a Witness Statement as an accurate and complete record of their involvement in that forensic examination. Such a statement should encompass all aspects of an individual's involvement in a forensic case and should be based on contemporaneous notes (written as you progress through the examination) (see appendix B). A detailed contemporaneous Witness Statement will often save a court appearance. Details that must be included:

- Radiographer's name,
- Appropriate Witness' name,**
- Identity and roles of any others present,
- Date of examination,
- Location of examination,
- Start and end time of examination,
- Unique case identifier (Hospital unique identifier, Garda evidence number, Coroner's unique identifier),
- Details of all projections acquired (including aspects of technique, use of annotation markers, etc),
- Location of any potential evidence / pathology (if a Radiographer is confident in what they observe in terms of related pathology, then these can be included in the Witness Statement as preliminary findings).

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Extract from IAFR / CoR Guidelines

18.4.All actions and communications should be contemporaneously documented by both the radiographer and the appropriate witness to be presented if or when necessary.

21.2. Appropriate records, which must be defined in the written local protocol, must be kept of all forensic radiography examinations. Records that should be kept, include, but are not limited to, the following information:

- Identity of Radiographer
- Identity of Witness(es)
- Identity and Role of any others present and/or formally involved.
- Date /Time/Location of examination(s)
- Examination identifiers
- Number and type of projections involved
- Location of any retained evidence
- Handover details for transfer of evidence (including name and signature of recipient)
- Number and location of copies

IAFR / CoR (2010)

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Cont.....

21.3. The Society of Radiographers recommends that formal documentation be produced to incorporate the above details, support any image evidence that has been produced and facilitate any witness statement.

21.4. The Society of Radiographers recommends that all individuals involved in carrying out the imaging examination should complete their own written documentation in the event that they need to be referred to at a later date. Forensic radiographers should keep their own written documentation securely as this also forms a formal record of evidence.

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**Sample Witness Statement
for
Single Suspicious Death Case**

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Radiographic Examination
ID: unique identifier

Date of Examination:	Time of examination: start and end time
Name of Radiographer:	
Name of Appropriate Witness:	
Location of Examination:	Specific location within hospital

Regions Examined: such a diagram can be useful in identifying regions examined or pathology / evidence locations

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Examination Details:

Some sample information has been presented below:
All radiographic (X-ray) imaging was performed using the xxxxxx Digital Radiography unit in focus size in the presence of witness xxxxx between on day / month / year.
Others present and their role:
All exposures were made using a X-ray tube focus to detector distance of 100cm and exposure factors of xxx kVp and xxx mAs. Right and left sided anatomical markers were placed within the collimated field at time of exposure to allow sides to be identified for all exposures.
A total of x radiographic images were acquired:
• List using correct terminology in order of actual acquisition
Preliminary Findings:
xxxxxxxxxxxxxxxxxxxx

Name of Radiographer:	Signed:	Date:
Name of Appropriate Witness:	Signed:	Date:
XXX Number of images/CDs produced: These were presented to XXX who signed to acknowledge receipt of them on day/month/year at time.		
Name of Representative of Radiology dept:	Signed:	Date:
Name of Person who received images/CDs:	Signed:	Date:

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Remember!

- Check
- Check again
- Sign and date
- Witness sign and date
- Check again
- Provide copy??
- File securely


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Non-Accidental Injury


- In Ireland, under Section 2 of the Protection for Persons Reporting Child Abuse Act (1998), all health care professionals including radiographers are known as *Designated Officers*.
- The Radiographers role is far reaching in the RoI, due to their 'Designated Officers' status under the 1991 Child Care Act, this means that they can have suspected child abuse reported to them, which they would need to take action on.

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Non-Accidental Injury




Points to Note


- It is important to record the child's demeanour and any interaction the child has with any individual whilst in the Imaging Room;
- If a child makes a disclosure, do not stop a child who is freely recalling;
- Listen to the child without interruption;
- Do not promise "to keep it a secret";
- Do not say "I don't believe you";
- **Document word-for-word what the child says, and date and sign the copy. This has now become potential evidence within the investigation.**
- **Make an additional copy and ensure this is also signed and dated. Give one copy to the referring clinician / Radiologist and keep the other copy with the radiographic images within the Radiology Department.**
- Do not question the child, as this contaminates any Garda investigation and also could be seen later in a Court of Law as 'coaching the witness'.

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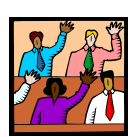
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Question Time




1. *How many of you have been directly involved in some form of 'Forensic' examination?*
2. *How many of you have completed some form of witness statement?*
3. *How many of you have appeared in court as a witness?*



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References



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