

Self-referral to a Sexual Assault Response Coordination Service (SARCS)

**Important information for anyone
who has accessed this service.**

You can take your time to read the information provided in this leaflet. If there is anything you do not understand, the SARCS staff can help to explain it to you.

An easy read version is also available.



I have self-referred to a SARCS – what happens next?

If you have self-referred to a NHS Sexual Assault Response Coordination Service (SARCS) for a Forensic Medical Examination (FME), it is important that you

understand your rights and what to do should you decide to tell the police at a later date.

What evidence will be retained by the SARCS?

The medical professional who carried out your examination, may have been able to collect evidence that could help the police to confirm the identity of the person who carried out the assault. This may include:

- bodily fluids (such as blood or urine), or hair, that may have transferred to you or your clothing;
- underwear, a condom or sanitary wear worn at the time of the assault (or shortly after);
- images or photographs of any injuries or bruising;
- written notes taken as part of the examination;
- any other relevant items such as certain items of clothing if appropriate.

Together, these items form your forensic record. This information is only passed to the police if you decide to report the assault to the police.

As part of the examination, you will also have had a healthcare assessment to look after your immediate health and wellbeing needs. This information will be kept on your health record and may be shared with other healthcare professionals to support your recovery.

Your health record does not count as evidence. If you decide to make a police report, only the evidence from your forensic record will be shared with the police.

All of your personal data will be held securely in line with UK GDPR and data protection requirements.

What evidence will the SARCS not retain?

It is important to remember that there is a difference between a police report and a self-referral. Other evidence (such as CCTV footage, crime scene evidence, bedding or photographs on your

mobile phone), will not be gathered unless you make a report to the police.

How long will my evidence be kept for?

Any forensic evidence taken during the examination will be stored securely by the SARCS.

The SARCS will keep your evidence safe for 26 months (two years and two months), from the day of your examination. This is called the 'retention period'. During that time, you can decide if you want to tell the police about the assault. If you do tell the police, they will ask you to sign a form. This will allow the SARCS to pass your evidence to them.

You will not be contacted before the end of the 26 month retention period.

Remember - you are in control. Your evidence will not be shared with the police unless you choose to tell them about the assault.

You may wish to keep a note of when your retention period ends (which is the date that your evidence will be destroyed), in a safe place or in a way that you will remember. You might want to share the date with a trusted friend or relative, who can remind you nearer the time and support you to access any advice you might need to help reach a decision. You may also want to talk to a Rape Crisis Advocacy worker. Contact details are at the end of this leaflet.

Can I have evidence returned to me?

During the 26 month retention period, you have the right to request the return of certain items of clothing or personal items that were retained as evidence. The health board must comply with this request as soon as they can.

You cannot request the return of any samples taken during the examination such as bodily fluids or hair samples. These will be retained for the duration of the retention period unless you ask the SARCS to destroy them.

A health board can refuse a request to return evidence, if they are not satisfied that it belongs to you or that it should not be returned on safety grounds.

If you request that evidence is returned to you, it is highly unlikely that it can be used for the purpose of any future police investigation as there may be a risk that it becomes contaminated (for example by someone else's DNA).

If you have made a report to the police, your items of evidence cannot be destroyed or returned to you by the health board. This is because the SARCS will already have passed the evidence to the police.

What do I do if I want my evidence destroyed?

If you decide that you do not want to tell the police, you do not have to tell the SARCS. Your evidence will automatically be destroyed at the end of the 26 month retention period.

Or if you prefer, you can contact the SARCS at any point within the 26 month retention period to request that the evidence contained within your forensic record be destroyed. Information in your healthcare record will not be destroyed.

The SARCS will wait 30 days from the date of you notifying them of your request, (unless the 26 month retention period has already expired), before destroying the evidence, in case you change your mind during that time.

If you request the destruction of evidence, you can still make a report to the police in the future, but evidence from your forensic record will no longer be available to them to help with any investigation.

Will anyone know if I have self-referred to the NHS?

This is a confidential NHS service and the police and other agencies will not know about the assault or that you have had a self-referral examination, unless you decide to tell them. In certain circumstances, a healthcare professional may

have told them if you or others are at risk of further harm. If so, this would have happened prior to the examination taking place.

If I tell the police, what will they do with the evidence collected?

If you decide to tell the police about the assault within the 26 month retention period, you should tell them about the examination. This means that the police can ask the SARCS you attended for the evidence in your forensic record. No forensic testing of your evidence will happen unless and until you choose to make a report to the police.

If the police have enough evidence to prove a crime has been committed, the police will submit a report to the Crown Office and Procurator Fiscal Service (COPFS). The COPFS will decide if there is enough evidence to prosecute the person. You will be contacted by the Victim Information and Advice service which is part of COPFS, who will provide you with information on the key developments about the case. They can also provide information on the criminal justice system and on any additional support that may be available to you.

You can talk to someone from the Rape Crisis Scotland advocacy service about what reporting to the police would involve. They can support you through the process if you decide to go ahead. Contact details for Rape Crisis Scotland are at the end of this leaflet or you may wish to contact a local advocacy service.

Contact details for Police Scotland are at the end of this leaflet. When making a report to the police, remember to tell them that you have self-referred for a forensic medical examination.

The staff at the SARCS can also talk you through your options and you can find further information: www.nhsinform.scot/sarcs

Support information

Victim Support Scotland provide free and confidential emotional and practical assistance and information to all victims and witnesses of crime. They are an independent charity and not part of Police Scotland or Scottish Courts.

You can also request a referral to any of the organisations below or you may wish to contact them directly.

You can ask the SARCS staff to refer you or you can contact them directly. Their contact details are at the end of this leaflet. You can get a copy of the Victims' Code for Scotland from the SARCS or at the web address below, which contains more information about your rights.

Important information that you might want to retain:

SARCS you attended:	
Address:	
Telephone number:	
Email address:	
Healthcare professional to ask for:	

Date of your attendance at the SARCS:	DD/MM/YYYY
Your 26 month retention period will end on:	DD/MM/YYYY

Support and information

NHS Inform:

www.nhsinform.scot/sarcs

Rape Crisis Scotland Helpline:

(5pm – midnight, every night)

Call: 08088 010302

Text: 07537 410 027

support@rapecrisisscotland.org.uk

www.rapecrisisscotland.org.uk

Police Scotland:

In an emergency dial 999

Non emergencies dial 101

www.scotland.police.uk

Victim Support Scotland:

0800 160 1985

(Mon to Fri 8am to 8pm)

www.victimsupportsco.org.uk

Breathing Space:

0800 83 85 87 (Mon – Thur 6pm to
2am and Fri 6pm to Mon 6am)

www.breathingspace.scot

Scotland's Domestic Abuse and Forced Marriage Helpline:

0800 027 1234

(24 hours a day, 7 days a week)

www.sdafmh.org.uk

Childline:

0800 1111

www.childline.org.uk

(24 hours a day, 7 days a week)

**Information about other
support services and
organisations can be found at**

www.nhsinform.scot/sarcs



Scottish Government
Riaghaltas na h-Alba
gov.scot

© Crown copyright 2022

Produced for The Scottish Government by APS Group Scotland, 21 Tennant Street, Edinburgh EH6 5NA
PPDAS1014598 (03/22)

W W W . g o v . s c o t