

*Block 10*

*Tuesday 21 Feb 2012*



## Child Abuse:

# The Non-Accidental Injury Syndrome

Dept of Forensic Medicine  
University of Pretoria



# *CHILD ABUSE*



## *- PHYSICAL ABUSE*

*Non-Accidental Injury Syndrome ( N.A.I.S)*

## *- SEXUAL ABUSE*

## *- MEDICATION / DRUGS*

## *- EMOTIONAL ABUSE*

## *- NEGLECT - Health / hygiene*

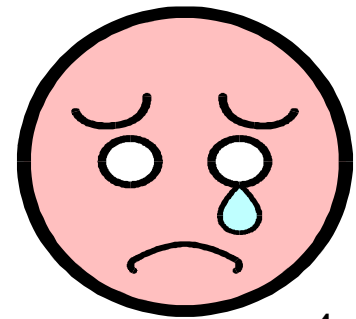
## *- Nutritional neglect*

## *-Munchhausen Syndrome by Proxy*

*(Factitious Injury Syndrome)*



*An abused child is any child who receives non-accidental injuries as a result of acts or omissions on the part of the parents or guardians - and for which there is no "reasonable" explanation.*



# *N.A.I.S - DIAGNOSIS*

## *History / background:*

- *social factors*
- *parental conduct*
- *child*

## *Clinical Findings:*

- *Clinical examination*
- *Special investigations*



## ***VULNERABLE GROUPS***



- *Poverty*
- *Member of Household is an alcoholic*
- *Criminal history*
- *Disabled child*
- *Adult household member was abused as child*
- *Child raised by persons other than biological parents  $\geq$  three months*
- *Unplanned / unwanted pregnancy*
- *Young, emotionally immature / unmarried parents*

*Conduct of / history from  
parent/guardian:*

- *Delay in seeking medical help*
- *Visit various facilities / doctors*
- *Different versions (from time to time and  
between individuals)*
- *History not consistent with facts*
- *Other parties often blamed / involved*





## *N.A.I.S. - The Physician's Role*



1. *High Index of Suspicion*
2. *Thorough examination*
3. *Meticulous/ detailed notes/ sketches/ photos*
4. *Consult colleague*
5. *Hospitalize (remove / investigate / treat)*
6. *Social worker*
7. *Inform: Regional Director / SAPS (CPU)*

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# ***N.A.I.S. - PATHOLOGIC FEATURES***

## ***SKIN:***

### ***- contusions:***

***"sixpenny bruises", "butterfly bruises", patterned***

### ***- abrasions***

***- burns (water / cigarettes) (N.B.: scars, infection)***

***- mucous membranes - frenulum***

***- bites***

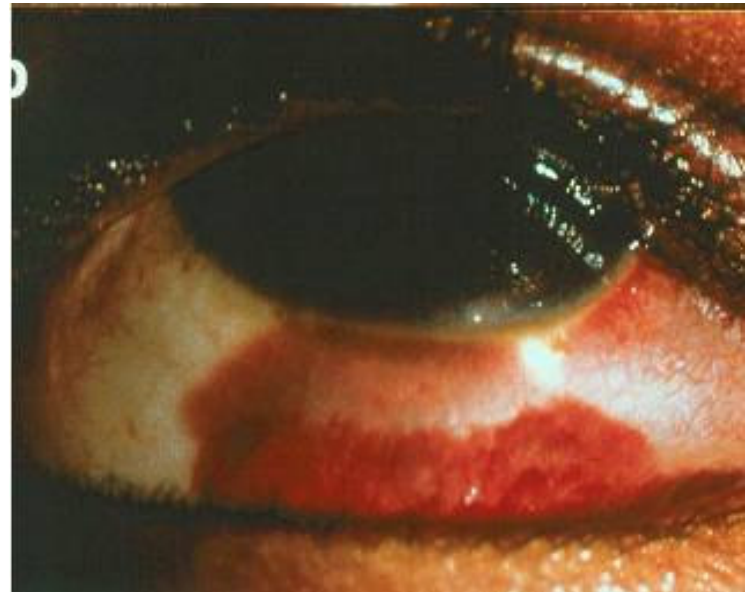
***N.B.: Anatomic sites***

***Ages of injuries***



***EYES:***

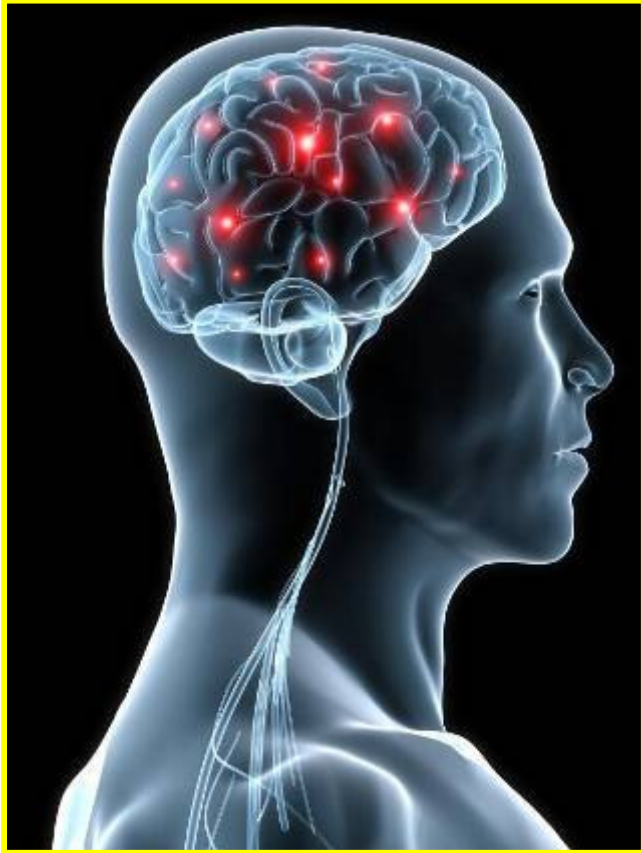
- *vitreous / scleral haemorrhage*
- *retinal detachments*
- *lens subluxations*



## ***HEAD INJURIES:***

- *Fractures*
- *Intracranial haemorrhage*
  - *subdural haemorrhage*
- *Cerebral injuries*
  - *Diffuse axonal injury*
  - *"shaken baby syndrome" vs "shaken impact syndrome"*

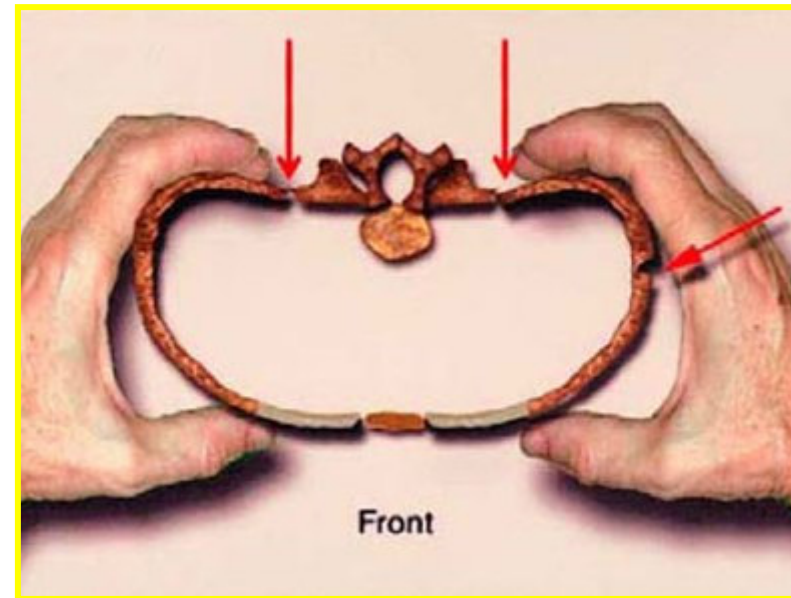




## *N.A.I.S. - PATHOLOGIC FEATURES (CONT.)*

### *CHEST & ABDOMEN:*

- rib fractures ("rosary")*
- ruptured liver*
- viscus perforation*



## *MUSCULOSKELETAL:*

### *Caffey's (Third) Syndrome:*

*Head injury (fracture/intracranial haemorrhage)  
combined with multiple skeletal fractures, often of  
varying age)*

- fractures (spiral, wedge, epiphyseal plate)*
- periosteal injury*
- ligaments & soft tissue*





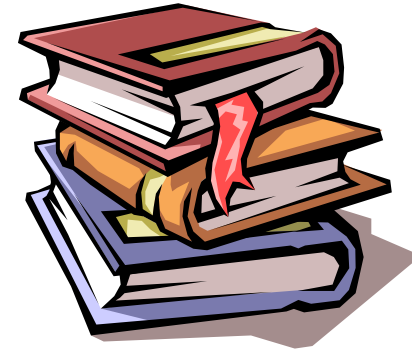
*General demeanour:*



- *"Frozen awareness"*

- *Gaze avoidance*

***Statutory regulations applicable:***



***Children's Act (Act 38 of 2005)***

***The Constitution of the Republic of SA (Act 108 of 1996)***

***Prevention of Family Violence Act (Act 133 of 1993)***

***Criminal Procedure Act (Act 51 of 1977)***

***Criminal Law (Sexual Offences and Related Matters)  
Amendment Act (Act No. 32 of 2007)***

# ***CHILDREN'S ACT***

***NO. 38 OF 2005***

***Section 110.***

***Reporting of abused or neglected child and child  
in need of care and protection.***





## *Section 110...*

*(1) Any correctional official, dentist, homeopath, immigration official, labour inspector, legal practitioner, **medical practitioner**, midwife, minister of religion, nurse, occupational therapist, physiotherapist, psychologist, religious leader, social service professional, social worker, speech therapist, teacher, traditional health practitioner, traditional leader or member of staff or volunteer worker at a partial care facility, drop-in centre or child and youth care centre...*

*.....who on reasonable grounds concludes that a child has been abused in a manner causing physical injury, sexually abused or deliberately neglected...*

*... **must report** that conclusion in the prescribed form to a designated child protection organisation, the provincial department of social development or a police official.*

*Subsection (2) :*

*Any person who on reasonable grounds believes that a child is in need of care and protection may report that belief to the provincial department of social development, a designated child protection organisation or a police official.*

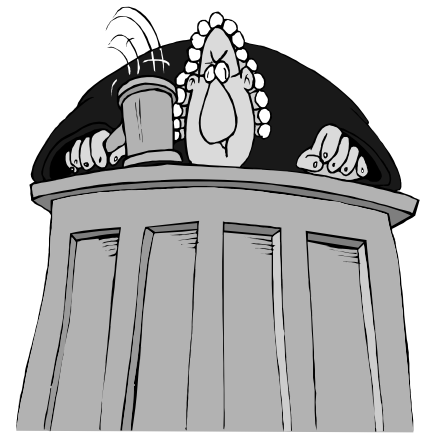
### *Subsection (3)*

*A person referred to in subsection (1) or (2) —*

*(a) must substantiate that conclusion or belief... ;*

*and*

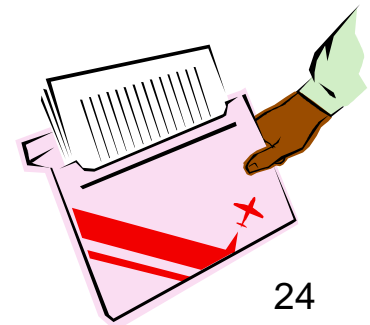
*(b) who makes a report in good faith is not liable to civil action ...*



## *N.A.I.S - FATAL CASES*



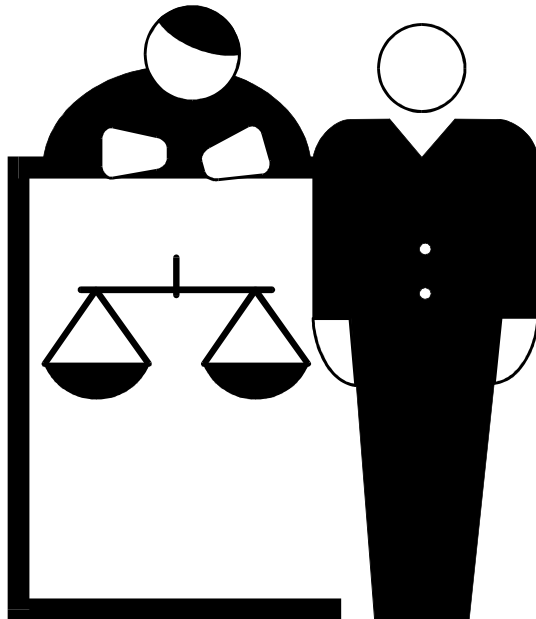
1. *High Index of Suspicion*
2. *Consult State Pathologist*
3. *Full / thorough examination: NB: - repeat 24h*
  - *photographs*
  - *whole body X-rays*
4. *Full dissection: NB: - neuropath. examination*
  - *eyes*
  - *occult sites*
5. *Full histology: NB: eyes/brain/skin/bones*
6. *Toxicology*
7. *Detailed report*





*"There is a kind of medical knowledge which is not so much concerned with the cure of disease as the detection of error and the conviction of guilt."*

*- Samuel Farr 1788*



## Sally Clark



... young woman solicitor ...had three sons

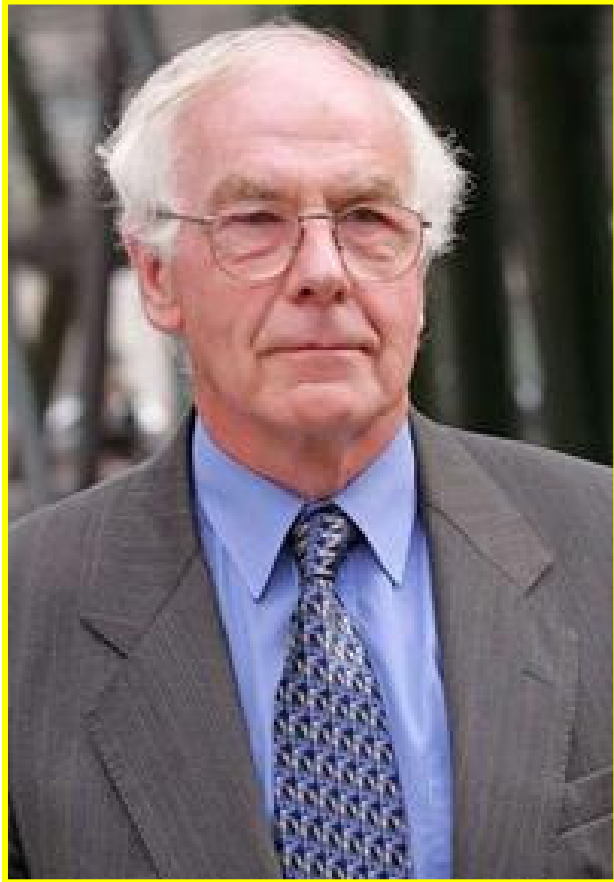
... first two infants died suddenly and unexpectedly a few weeks after birth

...was convicted of murder ...despite maintaining that the babies had tragically died for no known reason.



... Sally Clark was sent to prison to serve two life sentences ...

... after an influential "expert" told the jury it was too improbable that two children in one family could possibly die of natural causes....



## Professor Sir Roy Meadow

President of the British Paediatric Society 1993  
- 1997

Testified in Sally Clark case:

"... 1 in 9 million chance of child dying of SIDS..."

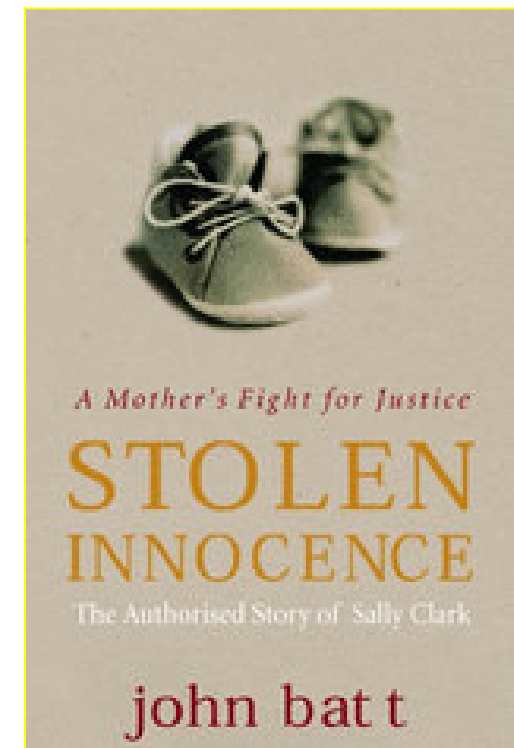
"...therefore, 1 in 81 million chance of SIDS  
twice in same family..."

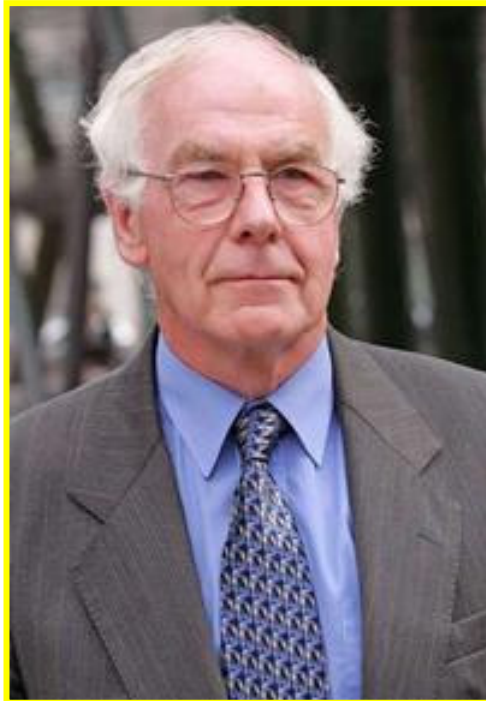


...in fact, there are 9 cot deaths per week in the UK  
... every year, fifty families that have already  
suffered one baby's death lose a second baby.



After over three years in prison, and five years of fighting in the legal system, Sally was cleared by the Court of Appeal in January 2003.





**BMJ April 2005**

## Mother convicted of killing her children is freed on appeal

Clare Dyer *legal correspondent, BMJ*

The Court of Appeal in London this week freed a mother who spent nearly seven years in jail for murdering her two children. Three judges ruled that the convictions of Donna Anthony, 31, were unsafe, because medical evidence put to the jury about the chances of two natural, sudden infant deaths occurring in the same family had been undermined by later research.

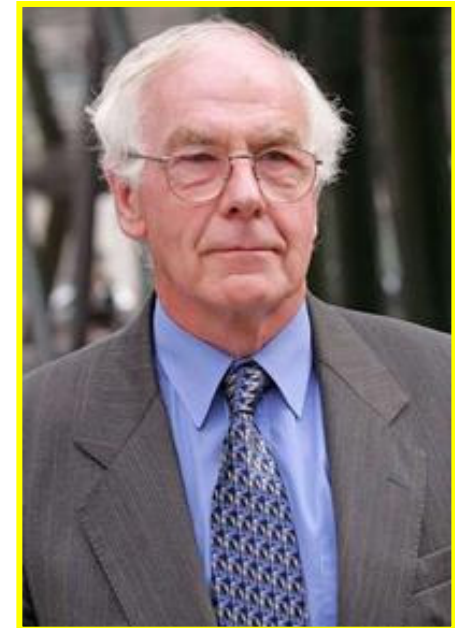
Mrs Anthony was sentenced to life imprisonment at Bristol

Crown Court in 1998 for the murders of her 11 month old daughter Jordan in 1996 and her 4 month old son Michael in 1997.

Her appeal follows those of Sally Clark and Angela Cannings, two other mothers whose convictions for killing two of their babies were overturned in 2003. In Mrs Cannings' case Lord Justice Judge, the deputy chief justice, said no such prosecutions should be brought in future where reputable medical

2005:

Professor Sir Roy Meadow struck off the UK  
medical register







MEDICAL PROTECTION SOCIETY

# Casebook

AFRICA

Vol. 13 no. 2

## How safe are expert witnesses?

The changing face of witness immunity page 25

Perspective: Just for the record page 28

Summary report and accounts 2004 page 7

Pearls and pitfalls page 29

[www.medicalprotection.org](http://www.medicalprotection.org)

PROMOTING PATIENT SAFETY

## *High index of suspicion...*

- *"... reviewing the course of events in Baby X's life, who were seen by doctors over 40 times in the first 2 years of his life, it is clear that a number of these incidents pointed to active physical abuse.*
- *Baby X was seen by doctors with, inter alia the following clinical signs:*
  - *at the age of 6 weeks an ulcerative lesion on his tonsil (scratch marks) were noted;*
  - *at the age of two and a half months he was seen with a bruised scrotum;*
  - *a week later he presented with a greenstick fracture of the right humerus...*

## *Baby X...*

- *...at the age of 8 months ... admitted to hospital with multiple fractures of the skull, intracranial injury and an old fracture of the rib;*
- *Hereafter he was seen regularly at hospitals with bruises to the head and face, discolouration beneath the eyes, evidence of drowsiness, convulsions, etc.;*
- *at the age of 2 years he was admitted to the casualty ward with a ruptured liver, ruptured right atrium and in a state of severe shock ... and he died.*

# **DON'T LOOK AWAY**

## **ACT AGAINST ABUSE**



**The Department of Justice and Constitutional Development invites you to the commemoration of the 16 Days of Activism under the theme “Domestic Violence.”**



**25 November - 10 December**