

Perspectives

Value of minor trauma in the diagnosis of physical child abuse: ‘The law of common man’

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Abstract

According to the definition of Meadow (1989), child abuse is defined as treating a child in an unacceptable way in a given culture at a given time. Major criteria for diagnosis of physical child abuse include sever, multiple, and patterned injuries with different stages of healing. Sometimes, even a single, minor injury may be sufficient to diagnose physical child abuse based on how much it is unacceptable to that particular culture at a given time.

When single minor trauma is found, the criteria that could be used to decide whether it is unacceptable to the culture at a given time include; severe pain, severe disfiguration, negligence and lack of care such as injuries to main members of the body, unacceptable punishments such as biting, burning, pinching or tying to an object and, severe mental trauma such as due to non-sexual genital injuries.

Much information can be gathered from minor injuries and their consequences such as how much of care was rendered.

A new criterion to diagnose physical child abuse is introduced using single minor injuries. However, there is no objective and defined way of deciding how much the trauma is unacceptable for the culture at a given time. Therefore, this should be decided by law of common man, that is, if the ill-treatment of the child is unacceptable to a common man in the society.

Key words: Minor trauma; Diagnosis of child abuse; Law of common man

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Introduction

According to the definition of Meadow (1989), child abuse is defined as treating a child in a way that is unacceptable in a given culture at a given time (1). Main clinical presentations of child abuse include; physical child abuse, child labour, street wandering, sexual abuse, and abandonment. Major criteria for diagnosis of physical child abuse include severe (2), multiple, and patterned injuries with different stages of healing (3). However, even a single, minor injury may be sufficient to diagnose physical child abuse based on how much it is unacceptable to that particular culture at any given time. How much it is unacceptable to that culture at any given time is assessed by law of common man. The law of "common man" is based on values. Conceptions of the values guide the way to how individuals select actions, evaluate people and events, and explain or justify their actions and evaluations (4). This is the law of common man.

Background and Discussion

Minor injuries can be defined as the simple injuries those do not fall under section 311, the grievous hurt, in the penal code of Sri Lanka (5). When single minor trauma is found, the criteria that could be used to decide whether it is unacceptable to culture at any given time include: (a) severe pain (Figure 1 A), (b) severe disfiguration (Figure 1 B), (c) negligence and lack of care due to injuries to main members of the body such as eyes, nose, ears, mouth, genital organs (Figure 1 C), (d) unacceptable punishments such as biting (Figure 1 D), burning (Figure 1 E), pinching (Figure 1 F) or tying to an object (Figure 1 G) and (e) severe mental trauma due to non-sexual genital

injuries (Figure 1 H).

Single minor injuries that may cause severe pain include deep injuries such as deep lacerations and deep burns.

Minor injuries that may cause severe disfiguration of the body include deep patterned burns due to heated metal items such as spoons and cigarette burns. According to the grievous hurt law of Sri Lanka, only disfiguration of head and face are considered grievous but not the disfigurations found on the rest of the body.

According to the grievous hurt law of Sri Lanka, the main members of the body are mouth, ears, eyes, nose and genital organs. However, even minor injuries to those members of the body may indicate negligence and lack of care such as lip injuries due to force feeding, pinch marks on ears or nose.

The law of corporal punishments is limited to few circumstances such as happenings in schools. The boundary between discipline punishment and abuse has not been adequately defined in Sri Lankan law. However, the punishments that are not accepted by the society include adult bites, pinching, and tying to an object resulting in a ligature mark in limbs.

Non-sexual minor trauma such as pinching of genitalia causes not only physical pain but also severe mental trauma. However, such injuries, even minor ones, are not accepted or justified by the society.

Child maltreatment is mostly identified when children have already serious consequences, whilst, the sensitivities and specificities of the existing criteria are inadequate. However, much information can be gathered from minor injuries and their consequences such as how much of care was rendered.

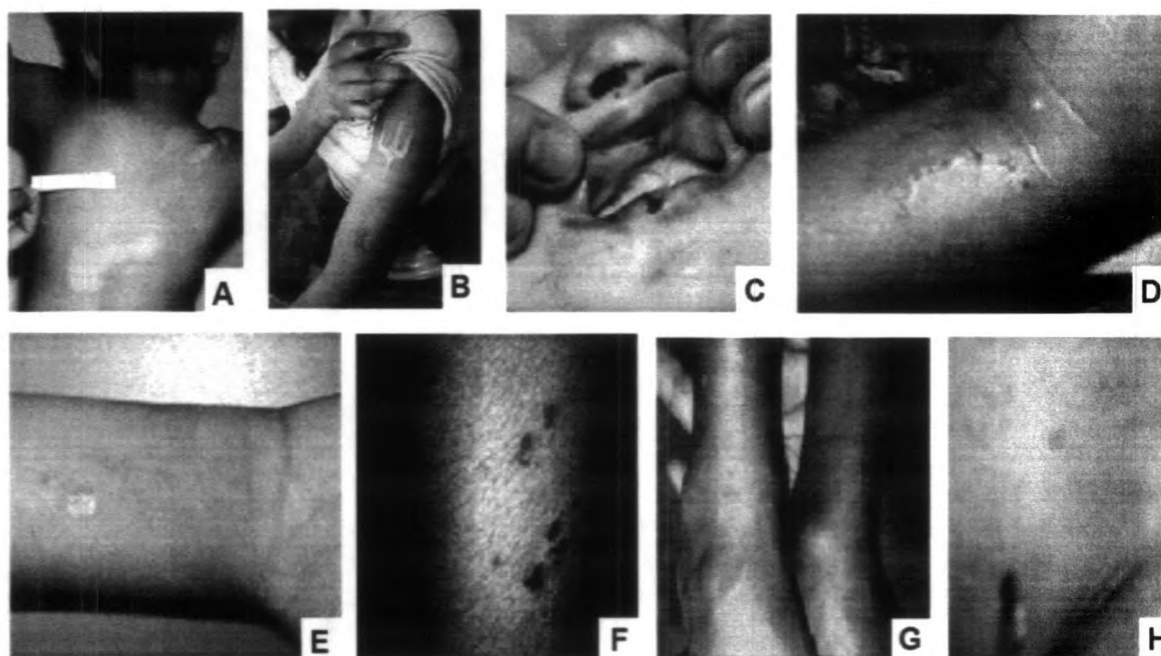


Figure 1 A: Severe burns , B: Patterned burn , C: Injury to mouth , D: Bite mark, E: Cigarette burn, F: Pinch marks G: Ligature mark , H: Pinch mark in labia majora

Conclusion

Therefore, we introduce a new criterion for the diagnosis of physical child abuse using single minor injuries. However, there is no objective and defined way of deciding how far the trauma could be unacceptable in the culture at any given time. Therefore, this should be decided by the 'law of common man', that is, if the ill-treatment of the child is unacceptable to a common man in the society. However, a multidisciplinary approach might be necessary to correctly identify the child abuse.

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Competing Interests

None

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