**Ethical Issues in Forensic Nursing**

Forensic nursing presents unique ethical challenges due to the complex interplay between patient care, evidence collection, and legal proceedings. Here are some key ethical issues faced by forensic nurses:

Confidentiality:

* Balancing the patient's right to confidentiality with the legal obligation to report certain crimes, such as child abuse or assault.
* Determining when to disclose information to law enforcement or other authorities without compromising the patient's trust.
* Maintaining confidentiality even when evidence collected during a forensic examination contradicts the patient's account of events.

Informed Consent:

* Obtaining informed consent from patients for forensic examinations, particularly in sensitive situations involving trauma or abuse.
* Ensuring patients understand the limitations of confidentiality and the potential consequences of their decisions.
* Balancing the patient's right to self-determination with the need to collect evidence for criminal investigations.

Dual Role:

* Navigating the dual role of providing care and collecting evidence, ensuring objectivity and avoiding bias.
* Maintaining therapeutic relationships with patients while fulfilling legal obligations.
* Avoiding situations where the nurse's role as a caregiver could be compromised by their involvement in the legal system.

Patient Advocacy:

* Balancing advocacy for the patient with the need to provide accurate and unbiased information in legal proceedings.
* Ensuring the patient's voice is heard and their rights are protected throughout the legal process.
* Confronting situations where the patient's interests’ conflict with the legal system's objectives.

Cultural Competency:

* Providing culturally sensitive care to patients from diverse backgrounds, including understanding their values and beliefs regarding health, trauma, and the legal system.
* Avoiding cultural bias in forensic examinations and assessments.
* Effectively communicating with patients and families through interpreters and cultural brokers, ensuring they understand their rights and the implications of forensic procedures.

Reporting and Documentation:

* Ensuring accurate and complete documentation of all findings, observations, and procedures during forensic examinations.
* Maintaining the integrity of evidence and adhering to chain of custody protocols.
* Avoiding unintentional bias in documentation that could impact the legal process.

Self-care and Well-being:

* Managing the emotional stress associated with working with victims of trauma and violence.
* Recognizing and seeking support for potential secondary traumatic stress and burnout.
* Maintaining professional boundaries to avoid emotional exhaustion and compassion fatigue.

These are just some of the ethical issues encountered by forensic nurses. It's crucial for nurses to be aware of these challenges and develop ethical decision-making frameworks to navigate complex situations. Resources such as the International Association of Forensic Nurses (IAFN) and national nursing code of ethics can provide guidance and support.

Additional Resources:

* International Association of Forensic Nurses: <https://www.forensicnurses.org/>
* American Nurses Association Code of Ethics: <https://www.nursingworld.org/practice-policy/nursing-excellence/ethics/>
* The Hastings Center: <https://www.thehastingscenter.org/>
* Ethics Resource Center: <https://www.loc.gov/item/lcwaN0007197/>

**ETHICAL ISSUES**

Forensic nursing is a specialized field that intersects healthcare, law, and justice. As professionals in this domain, forensic nurses play a crucial role in providing comprehensive and compassionate care to individuals affected by violence, trauma, or criminal activities. Ethics in forensic nursing are paramount, guiding practitioners in navigating the complex and often sensitive situations they encounter. This introduction explores the ethical considerations that underscore the practice of forensic nursing, highlighting the principles that guide these healthcare professionals in promoting justice, integrity, and patient well-being.

Ethics in forensic nursing encompass a set of moral principles and values that guide the conduct and decision-making of healthcare professionals in this specialized field. The unique nature of forensic nursing involves working with individuals who have experienced trauma, victims of violence, or those involved in legal proceedings. As such, ethical considerations are critical in maintaining the integrity of the nursing profession and ensuring the well-being of patients.

In the pursuit of justice, forensic nurses are ethically bound to report any signs of abuse, violence, or criminal activity. This commitment to advocacy and protection aligns with the broader principles of beneficence and nonmaleficence, emphasizing the obligation to promote the well-being of patients while avoiding harm.

Definitions:

**Ethics**: Derived from the Greek word "ethos," signifying "way of living," ethics represents a branch of philosophy dedicated to the study of human conduct, particularly the behavior of individuals within society. The field of ethics delves into the rational underpinnings of our moral judgments, exploring the concepts of what is morally right or wrong and what constitutes justice or injustice.

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* Balancing the patient's right to self-determination with the need to collect evidence for criminal investigations.

**Negligence**

**Dual Role:**

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* Avoid situations where the nurse's role as a caregiver could be compromised by their involvement in the legal system.

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**Situational examples of ethical issues in forensic nursing**

1. **Informed Consent in a Sexual Assault Examination:**

 A forensic nurse is conducting a sexual assault examination on a patient who appears distressed and emotionally overwhelmed. The patient is hesitant about certain aspects of the examination. The ethical dilemma lies in ensuring informed consent while recognizing the emotional vulnerability of the patient.

2. **Confidentiality Concerns in Domestic Violence Cases**:

 A forensic nurse is treating a victim of domestic violence who expresses fear of retaliation if the abuse is reported. The nurse faces an ethical dilemma regarding the duty to maintain patient confidentiality versus the obligation to report and prevent potential harm.

3. **Objectivity in Documenting Injuries**:

 When documenting injuries on a patient who is a potential victim of assault, the forensic nurse must maintain objectivity and accurately record findings. The ethical challenge arises when there are conflicting statements or uncertainties about the circumstances of the injury.

4. **Cultural Sensitivity in Elder Abuse Cases:**

 A forensic nurse is providing care to an elderly patient from a cultural background that discourages family disputes from being reported outside the community. The nurse faces an ethical dilemma in balancing the patient's cultural beliefs with the need to address potential elder abuse.

5. **Impartiality in Child Abuse Investigations**:

 While examining a child for suspected abuse, a forensic nurse recognizes the child's fear of providing information that may implicate a caregiver. The ethical challenge is maintaining impartiality and ensuring that the child's welfare is prioritized while respecting family dynamics.

6. **Dual Roles in Small Communities:**

 In a small community, a forensic nurse may be acquainted with the individuals involved in a forensic case. The nurse faces an ethical dilemma related to maintaining professional boundaries and avoiding dual roles that could compromise the objectivity of the forensic examination.

7. **Balancing Autonomy and Safety in Self-Harm Cases:**

 A forensic nurse is treating a patient who has engaged in self-harm. The patient refuses psychiatric evaluation and intervention. The nurse grapples with the ethical challenge of respecting the patient's autonomy while ensuring their safety and well-being.

8. **Confidentiality in Substance Abuse Cases:**

 A forensic nurse discovers that a patient involved in a legal case has a history of substance abuse. The nurse faces an ethical dilemma in deciding whether to disclose this information, considering the potential impact on the patient's legal situation and the duty to protect patient confidentiality.

9. **Cultural Competence in LGBTQ+ Cases**

 A forensic nurse is caring for a transgender patient who has experienced a hate crime. The nurse encounters ethical challenges related to providing sensitive and culturally competent care, including using appropriate pronouns and addressing the unique healthcare needs of the LGBTQ+ population.

10. **Balancing Collaboration and Independence:**

 When working with law enforcement in a forensic case, a nurse may face ethical challenges related to maintaining independence and objectivity. The nurse must balance collaboration with legal authorities while ensuring that the primary focus remains on patient care and welfare.

These situational examples illustrate the nuanced and complex nature of ethical issues in forensic nursing, emphasizing the need for thoughtful consideration, adherence to ethical principles, and ongoing professional development. Forensic nurses must navigate these challenges to ensure the highest standards of care, integrity, and respect for the individuals they serve.

**Some common incidences where ethical issues may arise:**

In a hospital setting, various situations can give rise to ethical issues due to the complex nature of healthcare delivery and the multitude of interactions between healthcare professionals, patients, and their families. Some common incidences where ethical issues may arise include:

1. **Informed Consent**:

 Issues may arise when obtaining informed consent for medical procedures or treatments. This could involve challenges in ensuring that patients fully comprehend the risks, benefits, and alternatives to a particular intervention, especially in emergencies or when dealing with patients with limited decision-making capacity.

2. **End-of-Life Decision-Making**:

 Determining appropriate end-of-life care, including decisions about withholding or withdrawing life-sustaining treatments, can be ethically challenging. Conflicts may arise among healthcare providers, patients, and family members regarding the best course of action that aligns with the patient's wishes and values.

3. **Resource Allocation**:

 Hospitals often face challenges in allocating scarce resources such as organ transplants, intensive care unit beds, or expensive treatments. Ethical dilemmas emerge when deciding how to distribute these resources fairly, justly, and efficiently, considering the needs of various patients.

4. **Confidentiality and Information Sharing**:

 Balancing patient confidentiality with the need for information sharing among healthcare providers is an ongoing ethical concern. Issues may arise when deciding what information to disclose to ensure coordinated and effective patient care while respecting privacy rights.

5. **Cultural Competence and Diversity:**

 Providing culturally competent care can be challenging, especially in diverse healthcare settings. Ethical issues may arise when healthcare professionals encounter cultural differences that impact decision-making, treatment preferences, or communication with patients and their families.

6. **Conflict of Interest**:

 Healthcare professionals may face ethical challenges related to conflicts of interest, such as financial ties to pharmaceutical companies or personal relationships with patients. Maintaining objectivity and prioritizing patient welfare in the face of potential conflicts is crucial.

7. **Patient Autonomy vs. Paternalism**:

 Balancing respect for patient autonomy with the duty to act in the patient's best interest can be ethically complex. Instances may occur where healthcare providers must navigate between allowing patients to make their own decisions and intervening when their choices may lead to harm.

8. **Staffing and Workload Issues**:

 Ethical challenges may arise in situations where healthcare professionals face excessive workloads or staffing shortages, potentially compromising patient safety and the quality of care. Decisions related to resource allocation and prioritization become critical in these circumstances.

9. **Palliative and Hospice Care:**

 Decisions surrounding the initiation or withdrawal of palliative and hospice care can raise ethical concerns. Healthcare providers must navigate discussions about pain management, quality of life, and the goals of care while respecting the patient's wishes and the principles of beneficence and nonmaleficence.

10. **Mandatory Reporting of Impaired Colleagues**:

 Healthcare professionals may face ethical dilemmas when they become aware of a colleague's impairment due to substance abuse or mental health issues. Balancing the duty to report such concerns with the potential impact on the colleague's career and well-being presents a challenging ethical situation.

Addressing these ethical issues in a hospital setting requires a commitment to open communication, ethical training for healthcare professionals, and the establishment of ethical frameworks within healthcare institutions. This helps ensure that patient care remains cantered on ethical principles and the well-being of individuals seeking medical treatment.

Psychiatric hospitals, which provide care for individuals with mental health disorders, face unique ethical challenges due to the vulnerability of the patient population and the nature of mental health care. Here are some common ethical issues that may arise in psychiatric hospitals:

**Ethical issues in Psychiatric hospital**

1. **Informed Consent in Mental Health Treatment**:

 Obtaining informed consent for psychiatric treatment can be challenging, especially when patients may be experiencing severe mental health symptoms. Ethical considerations involve ensuring that patients understand the nature of the treatment, potential risks, and alternatives, even in situations where their decision-making capacity may be compromised.

2. **Restraint and Seclusion:**

 The use of physical restraints or seclusion in psychiatric hospitals raises ethical concerns related to patient autonomy, dignity, and potential for harm. Balancing the need for safety with respecting the rights and well-being of patients is a complex ethical challenge.

3. **Confidentiality and Privacy**:

 Maintaining patient confidentiality in mental health care is crucial. However, sharing information with other healthcare professionals or family members may become necessary for comprehensive care. Striking the right balance between privacy and the exchange of essential information presents ethical dilemmas.

4. **Autonomy and Decision-Making**:

 Mental health conditions may impact a patient's capacity to make decisions about their care. Ethical challenges arise in determining the extent to which a patient's autonomy should be respected or overridden in situations where they may be at risk of harm.

5. **Dual Relationships**:

 Establishing and maintaining appropriate boundaries with patients is essential in psychiatric care. Ethical issues may arise when healthcare professionals have dual relationships, such as being friends, family members, or acquaintances outside the therapeutic setting, potentially compromising the therapeutic alliance.

6. **Cultural Competence**:

 Psychiatric hospitals must provide culturally competent care to individuals from diverse backgrounds. Ethical considerations involve recognizing and addressing the unique cultural factors that may impact diagnosis, treatment, and communication with patients.

7. **Medication Management**:

 The use of psychotropic medications raises ethical concerns related to potential side effects, long-term consequences, and the patient's right to refuse treatment. Ensuring informed consent and ongoing monitoring are crucial ethical considerations.

8. **Discharge Planning and Aftercare**:

 Ethical challenges may arise in determining the appropriate timing for discharging patients from psychiatric hospitals. Ensuring that patients have access to adequate aftercare resources, including community mental health services, is vital for their ongoing well-being.

9. **Patient Rights and Advocacy:**

 Advocating for and protecting the rights of psychiatric patients is an ongoing ethical responsibility. This includes ensuring that patients are informed about their rights, have access to legal representation, and are treated with dignity and respect.

10. **Staff Burnout and Well-Being:**

 The mental health and well-being of psychiatric healthcare professionals are critical ethical considerations. High-stress environments, challenging patient cases, and emotional intensity can contribute to staff burnout. Ethical obligations involve providing support, supervision, and resources to promote staff well-being.

Addressing these ethical issues in psychiatric hospitals requires a commitment to ongoing education, clear institutional policies, and a multidisciplinary approach that involves input from mental health professionals, ethicists, and, when necessary, legal experts. Creating an ethical framework that prioritizes patient welfare, autonomy, and dignity is essential for providing quality care in psychiatric settings.

Managing ethical issues in forensic nursing requires a combination of knowledge, skills, and a commitment to upholding the highest ethical standards in patient care and legal collaboration. Here are some strategies for effectively addressing ethical challenges in forensic nursing:

**How to manage ethical issues in forensic nursing**

1. **Ethical Training and Education**:

 Ensure that forensic nurses receive comprehensive training and ongoing education in ethical principles and legal considerations. This should include staying updated on relevant laws, policies, and professional standards that govern forensic nursing practice.

2. **Establish Clear Policies and Protocols**:

 Develop and implement clear institutional policies and protocols that guide ethical decision-making in forensic nursing. These should address issues such as patient confidentiality, informed consent, reporting obligations, and the handling of forensic evidence.

3. **Cultural Competence Training**:

 Provide training on cultural competence to enhance the ability of forensic nurses to work effectively with individuals from diverse backgrounds. Understanding and respecting cultural differences is essential in building trust and providing patient-centered care.

4. **Ethical Decision-Making Frameworks**:

 Familiarize forensic nurses with ethical decision-making frameworks that can guide them in navigating complex situations. Encourage the use of ethical principles such as autonomy, beneficence, nonmaleficence, and justice to analyze and resolve ethical dilemmas.

5. **Supervision and Consultation**:

 Foster an environment where forensic nurses feel comfortable seeking supervision and consultation when faced with ethical challenges. Establish mechanisms for interdisciplinary collaboration, involving legal experts, ethicists, and other healthcare professionals as needed.

6. **Confidentiality and Privacy Safeguards**:

 Emphasize the importance of maintaining patient confidentiality and privacy in forensic nursing practice. Ensure that forensic nurses are aware of the legal and ethical implications of sharing information and provide guidance on appropriate information disclosure.

7. **Informed Consent Processes**:

 Develop and reinforce procedures for obtaining informed consent, especially in situations involving forensic examinations and evidence collection. Ensure that patients understand the purpose, procedures, and potential consequences of the examinations.

8. **Trauma-Informed Care**:

 Implement trauma-informed care principles to create a safe and supportive environment for individuals who have experienced trauma. This involves understanding the impact of trauma, avoiding retraumatization, and prioritizing the well-being of patients.

9. **Regular Ethics Reviews and Updates**:

 Conduct regular reviews of ethical issues in forensic nursing practice and update policies and procedures accordingly. Stay informed about developments in forensic nursing ethics and incorporate best practices into the care delivery process.

10. **Self-Care and Support**:

 Recognize the emotional and psychological challenges that forensic nurses may face in their roles. Promote self-care practices and provide support mechanisms, such as debriefing sessions and counselling services, to help nurses cope with the demands of their work.

11. **Ongoing Professional Development**:

 Encourage forensic nurses to engage in ongoing professional development to stay current on emerging ethical issues, new technologies, and best practices in forensic nursing. This may involve attending conferences, workshops, and participating in relevant training programs.

By proactively addressing ethical issues through education, clear policies, and ongoing support, forensic nursing professionals can enhance the ethical dimensions of their practice and contribute to the well-being of individuals involved in forensic situations.

**ANA code of ethics for nurses**



**Role of nurse**

1. **Professional Integrity and Impartiality**:

 Ethics in forensic nursing involves upholding professional integrity by maintaining an unbiased and impartial stance. Forensic nurses must navigate legal and investigative processes with objectivity, ensuring their actions and decisions are guided by a commitment to truth and justice.

2. **Confidentiality and Privacy**:

 Ethical considerations in forensic nursing encompass a steadfast commitment to confidentiality and privacy. Nurses in this field must rigorously protect sensitive information related to patients, respecting their right to privacy while balancing the need to collaborate with legal authorities when necessary.

3. **Cultural Competence**:

 Forensic nursing ethics emphasize cultural competence, requiring practitioners to understand, respect, and integrate the diverse cultural backgrounds of the individuals they serve. This includes recognizing and addressing the unique needs and beliefs of patients from various communities.

4. **Victim Advocacy**:

 Ethics in forensic nursing underscores the role of the nurse as an advocate for victims. Forensic nurses must prioritize the well-being of those who have experienced trauma or violence, providing support, resources, and a compassionate environment to facilitate healing.

5. **Accuracy and Objectivity in Documentation**:

 Ethical forensic nursing involves meticulous and unbiased documentation of findings. Nurses must ensure that their reports and records accurately reflect the observed evidence, contributing to the reliability of forensic information presented in legal proceedings.

6. **Informed Consent and Autonomy**:

 Respecting the principles of autonomy and informed consent is integral to ethical forensic nursing. Nurses must communicate effectively with patients, ensuring they understand the implications of any procedures or examinations, and respect the individuals' right to make informed decisions about their care.

7. **Mandatory Reporting**:

 Ethical obligations in forensic nursing include the responsibility to report any signs of abuse, violence, or criminal activities. This commitment to mandatory reporting aligns with the broader ethical principles of protecting individuals from harm and promoting justice within the legal system.

8. **Continuous Education and Professional Development**:

 Forensic nursing ethics emphasize the importance of continuous education and professional development. Practitioners in this field are encouraged to stay informed about evolving legal and healthcare standards, ensuring they provide the highest quality care while staying ethically informed and responsible.

These ethical considerations collectively guide forensic nursing practice, ensuring that professionals in this field navigate the complexities of their roles with a commitment to integrity, compassion, and the well-being of those they serve.

**Critical thinking**

**Scenario:**

A 28-year-old woman, Jane Doe, is brought to the emergency department (ED) by her friend, who found her unconscious in her apartment. Jane is revived and states that she was sexually assaulted by a stranger in her home after being drugged. She appears disoriented, with visible bruising on her wrists and neck. Jane is hesitant to speak and visibly upset.

**Critical Thinking Process:**

1. **Initial Assessment:**
	* **Medical Assessment:** The first step is to ensure Jane's immediate medical needs are addressed. This includes checking her vital signs, treating any physical injuries, and assessing for potential drug intoxication, given her claim of being drugged.
	* **Forensic Assessment:** The forensic nurse must initiate the process of evidence collection, including a Sexual Assault Forensic Exam (SAFE). This involves preserving any potential evidence, such as clothing, bodily fluids, and foreign materials, without compromising Jane’s medical care.
2. **Patient-Centered Care:**
	* **Trauma-Informed Approach:** The forensic nurse must apply a trauma-informed approach, recognizing that Jane is likely in shock and may have difficulty recalling details. It is essential to create a safe, supportive environment where Jane feels comfortable sharing her experience.
	* **Informed Consent:** Before proceeding with any forensic examination, Jane must be informed of her rights, the purpose of each procedure, and any possible outcomes. She must give her consent freely, without feeling pressured.
3. **Evidence Collection:**
	* **Documentation:** The nurse meticulously documents Jane's physical injuries, emotional state, and any statements she makes about the assault. Photographs of visible injuries are taken with consent, and a body map is used to record injury locations.
	* **Specimen Collection:** The nurse collects swabs from potential sites of evidence (e.g., mouth, genitals, under fingernails) and any other samples that may contain the assailant’s DNA. Clothing is collected and stored in paper bags to prevent contamination.
	* **Chain of Custody:** The nurse ensures that all evidence is labeled, sealed, and stored securely, maintaining a clear chain of custody to avoid any legal challenges later.
4. **Interdisciplinary Collaboration:**
	* **Coordination with Law Enforcement:** The forensic nurse must communicate with law enforcement officers who are investigating the case. This involves providing them with the necessary documentation and evidence while respecting patient confidentiality and legal requirements.
	* **Social Services and Counseling:** Recognizing the psychological impact of the assault, the nurse arranges for a counselor or social worker to meet with Jane. She also provides information about local resources, such as rape crisis centers, legal aid, and shelters.
5. **Ethical and Legal Considerations:**
	* **Confidentiality:** The nurse must balance the need for confidentiality with legal obligations, such as mandatory reporting requirements. Jane’s privacy should be protected to the fullest extent possible while complying with the law.
	* **Advocacy:** The forensic nurse acts as an advocate for Jane, ensuring her voice is heard in medical, legal, and social contexts. This includes supporting her decisions regarding the reporting of the assault and participating in any legal proceedings.
6. **Follow-Up Care:**
	* **Medical Follow-Up:** The nurse schedules follow-up appointments for Jane to monitor her physical and emotional recovery. This includes testing for sexually transmitted infections (STIs), pregnancy, and any delayed onset of injuries.
	* **Ongoing Support:** The nurse provides information on long-term counseling options and support groups, recognizing that recovery from sexual assault is a lengthy and complex process.

**Critical Thinking Reflection:**

Throughout this case, the forensic nurse must continuously apply critical thinking to navigate the complexities of Jane’s care. This includes prioritizing her medical needs, ensuring thorough and ethical evidence collection, advocating for her rights, and coordinating with various professionals involved in her case. The nurse’s ability to adapt to Jane’s evolving needs and the legal context of the case is crucial in providing holistic and effective care.

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