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Initial contact via GUM clinics

On occasion other persons may be identified whose HIV testing history and/or HIV status are relevant to an investigation.

These persons will usually be:

- either other possible victims of the accused
- or previous sexual contacts of the complainant whose HIV status and/or testing history may be relevant to ascertaining whether the complainant was in fact infected by the accused.

In such cases, it is recommended that the initial approach to the individual requesting information should be made by the relevant local sexual health clinic (often known as 'GU clinic') who have expertise in HIV, in such contact tracing, and in HIV counselling and confidentiality issues.

Police officers should:

- identify the individual to the GU clinic,
- explain that they are interested in information relevant to an investigation into possibly criminal HIV transmission,
- request information as appropriate on the person's HIV status and HIV testing history for the relevant period of interest
- provide contact information should the person wish to contact the police directly.

The GU clinic will:

- inform the person of the police request
- provide direct contact information should the person wish to communicate with the police directly
- as appropriate ask whether they are willing to have an HIV test
- as appropriate ask for/confirm information on the person's HIV testing history
- ask whether they would consent for relevant information to be passed on to the police by the GU clinic.

If the person consents to relevant information being passed on to the police, officers can then determine on the basis of the information received whether there is a need for further discussion with that person and contact them directly as appropriate.

If the person does not consent to information being passed on to the police, the GU clinic will only pass on relevant confidential information if a court order is produced.

It should be noted that enquiries of past sexual contacts of the complainant will only be useful if all relevant contacts can be traced. If there are untraced sexual contacts who could possibly have infected the complainant with HIV, it will be difficult to prove it was the accused who was responsible for the complainant's infection.