

Forensic Medicine V/S Forensic Pathology. (A Difference That Everyone Should Know)

In the past, several futile attempts were carried out at different forums to change the name of subject of Forensic Medicine to Forensic Pathology.

In that scenario, it is pertinent to seriously review that matter to have crystal clear concept about the subject of Forensic Medicine and to critically evaluate the effects of changing its name to Forensic Pathology particularly keeping in view the in vogue Medicolegal System in our set up.

I will try my level best to present here a factual ground reality base picture.

Let's start with definition of Forensic Medicine, "as branch of medicine which deals with the application of principles of medical knowledge for the purpose of law, both civil and criminal, to furthering of the justice".

It also deals with legal aspects of medical practice and doctor-patient relationship and medical ethics.

Traditionally, it includes pathological anatomy and Forensic Toxicology.

Forensic Pathology is defined as the special branch of pathology dealing with the medico-legal investigation of death.

A simple comparison of the definitions of two entities have made it clear that Forensic Medicine is broader/wider/more comprehensive subject and more in parlance with the present medicolegal system in our country than Forensic Pathology.

Our medicolegal system has a similarity with the continental medicolegal system, hence designated as modified continental medicolegal system where the role of investigating agency (police) and doctor (medical officer) is well defined in the following legal framework.

This crucial point will be more evident by just briefly observing the following rules and regulations governing the present medicolegal system of our country.

1. Criminal procedure code, sec. 174, 174A, 176. (part relevant to medical man is reproduced below)
174. (1).

(3) When there is any doubt regarding the cause of death, or when for any other reason the police-officer considers it expedient so to do, he shall, subject to such rules as the Government may prescribe in this behalf, forward the body, with a view to its being examined, to the nearest Civil Surgeon, or other qualified medical man appointed in this behalf by the Government, if the state of the weather and the distance admit of its being so forwarded without risk of such putrefaction on the road as would render such examination useless.

176. (1) When any person dies while in the custody of the police, the nearest Magistrate empowered to hold inquests shall, and, in any other case mentioned in section 174, clauses (a), (b) and (c) of sub-section (1), any Magistrate so empowered may hold an inquiry into the cause of death either instead of, or in addition to, the investigation held by the police-officer, and if he does so, he shall have all the powers in conducting it which he would have in holding an inquiry into an offence. The Magistrate holding such an inquiry shall record the evidence taken by him in connection therewith in any of the manners hereinafter prescribed according to the circumstances of the case.

(2) Whenever such Magistrate considers it expedient to make an examination of the dead body of any person who has been already interred, in order to discover the cause of his death, the Magistrate may, cause the body to be disinterred and examined.

2. Qisas and Diyat ordinance 1990/Criminal amendment act 1997.

Authorised Medical Officer 299 C: It means a medical officer/ medical board howsoever designated, authorised by Provincial Government.

3. Health Department, Government of the Punjab, instructions regarding postmortem and medicolegal examinations 2009.
4. Police ordinance 2002.
5. Police rules, i.e., 25.19 (medico-legal opinion), 25.21 (dying declarations), 25.22 (medical examination of women), 25.34 (Disinterment of bodies)

clause 5, 25.36 (post-mortem examination-when and by whom held, 25.37 (post-mortem examinations), 25.38 (unidentified bodies), 25.43 (procedure in poisoning cases), 25.47 (report of medical officer).

A simple review of above relevant portions of the laws makes it clear that in our set up medico-legal examinations (of living and dead) are conducted by medical officers who are trained and taught the subject of Forensic Medicine in the 3rd year MBBS as depicted in the curricula issued by the PM&DC, Islamabad. The dead body is shifted to the nearby authorized medical man for autopsy. It is pertinent to mention that the autopsy rate is very high (about 1000 medico-legal autopsies are being conducted annually in the Forensic Medicine department of KEMU, Lahore, Pakistan).

The subject of Forensic Medicine is a state subject. The existing facilities are extremely deficient. There is no forward planning in spite of severe threat of terrorism leading to mass disaster. The paramedical staff required to work in the city morgues is not only deficient but is also untrained.

Now compare this situation with the states where Forensic or medico-legal autopsies are conducted by Forensic Pathologist who are medical persons highly qualified in the subject of pathology and then trained in Forensic Pathology. The facilities are enormous and mortuary staff is very well trained. The autopsy rate is low. These Forensic pathologist do not conduct medico-legal examinations of living cases of assault (physical and sexual), poisoning or alcohol intoxication etc. This task is done by the clinical Forensic Medicine examiner or Forensic physicians or by police surgeons as in U.K.

Hence, it is evident that Forensic Pathology is a limb or branch of Forensic Medicine, how can it replace Forensic Medicine. If there are intentions to introduce it as a subject in the curricula first it should be decided whether it will be a undergraduate or post-

graduate entity, then its curriculum/syllabus should be prescribed then mode of training should be categorised.

Mere changing the name of Forensic Medicine to Forensic Pathology is a mockery with the medical science and leads to provide the opportunity to the civilized world to laugh on us. So, if we start to produce subject specialist of Forensic Pathology today, it will take a decade to have first batch of Forensic Pathologist as shown below:-

MBBS, five years,

House job, one year,

Post graduate qualification like PhD or MD or FCPS or M.Phil in HistoPathology or morbid anatomy, four to five years then training in Forensic Pathology for one to two years).

So it is advisable not to open Pandora box leading to complete collapse and disarray of our medicolegal system.

What will be the service structure of that Forensic Pathologist? Will that come under teaching cadre or specialist cadre? So thorough discussions/deliberations required but my considered opinion is that this settled issue may not be unsettled because of reasons already mentioned.

The existing rules and laws mentioned above shows that medical officer conduct medico-legal examinations how the Forensic Pathologist will act as authorized medical officer when he is a specialist not an ordinary medical officer.

Therefore, prima facie, to change the name of subject (Forensic pathology instead of Forensic Medicine) keeping all other modalities as such will lead only to deterioration and mockery. It will be an unjustified step in all aspects, i.e., academically, legally and ethically. So, It is suggested that bring the change keeping in view the latest advancements in medical sciences, please do not bring the change by just changing the name.

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