

## Pitfalls of Medico-legal System in Sindh

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The medico-legal system in Pakistan basically is based upon a modified continental substructure meaning the instigation of inquiry into death is done first and foremost by the police, or by magistrates in cases of custodial torture and death. These interrogations are directed under section 174 of Pakistan's Criminal Procedure Code (CrPC)<sup>1</sup>. The objective of the Medicolegal officer (MLO) in the Medicolegal system is to be attester in the findings of natural and unnatural causes like poisoning, and physical assault, carry out postmortem examination and autopsy, prepare medico-legal documents, give medical evidence and provide opinions as an expert witness in court, etc.

There are a total of nine medico-legal centers in Karachi, and only three major government hospitals are serving around the clock, the remaining centers have deficiency and unavailability of appropriate forensic faculty or staff, and facilities to deal with the medico-legal cases<sup>2</sup>. These hospitals only deal with Medicolegal certification due to inadequate or proper gadgetry for performing autopsies, improper arrangements for sanitation, lighting, even in such situations where autopsies are performed, there is a shortage of supply of specimen preserving jars and preservatives used. These deficiencies provoke delayed results of medico-legal proficiency. No audit of the actions taking place in the mortua-

ry consequently delays the transfer of collected evidence to the chemical examiner's office which may reversibly concludes to errors in reporting<sup>3</sup>. Absence of DNA database for the injured/corpse/unknown body for admission and disposal, due to which immediate family and friends face a hurdle when they search for their injured or deceased relatives<sup>4</sup>.

The opinion of a medical examiner is not only admissible but also decisive in the criminal justice system. Fresh doctors who are interested or involved in the medico-legal system do not meet the minimum qualification entrance that is mandatory before a person can undertake the vigorous forensic examination process, they are unable to justify or give a reason for their given opinion due to a lack of proper understanding and training<sup>5</sup>. The only justification for this is the basic forensic knowledge they gather is, during their 3rd year of MBBS undergraduate education after that there is no exposure.

Another stumbling block in the medico-legal system is the lack of coordination and harmony among the departments. Inadequacy of defense and security for the doctors subsequently produces a loss of work interest.

Following are some suggestions that may be helpful and prove beneficial:

- Standardize reporting and operating procedures relating to the medico-legal section for medico-legal cases throughout the province and all centers should be made fully functional
- Induction and maintenance of digital medico-legal record keeping, which will save time and eliminate chances of any mistakes.

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- Establishment of training institutes, scholarships, and foreign training for Forensic faculty, MLO desiring to proceed for education.
- Specialized qualification, regular and mandatory training regarding medico-legal protocols and development through workshops, hands-on training, and courses should be conducted for doctors and para-medico-legal staff.
- Sanctioned strength should be doubled.
- Reforms in cases of the mass disaster which involve identification, postmortem examination, biometrics, and disposal of dead bodies throughout the province.
- Setup of standardized forensic/ DNA laboratories should be enhanced.
- Upgrade the pay scale and financial reimbursement for doctors performing exhumation and presenting evidence in court.
- The Forensic experts must be offered protection and workplace security from unnecessary threats.
- Implementation of government policies and protocols for research and funding
- Introduce mechanisms for the monitoring and evaluation of all centers and personnel involved in this process to ensure that protocols are being disseminated and followed.

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