

EDITORIAL

Medico-legal death investigation – multiple methods to achieve the same objective

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Unlike other branches of medicine – which follow the same principles of practice world over – medico-legal death investigation is one of the most diverse and varied aspects related to the practice of medicine in general, and forensic medicine in particular.

Within the basic inquisitorial and adversarial legal systems, a wide variety of medico-legal systems (MLS) exist: the magisterial, coronial, police and medical examiner systems. All countries have some procedure for investigating deaths which cannot be certified by a physician. The objective is to investigate the deaths and to determine the circumstances viz., homicide, suicide, accident, natural or undetermined. The lead investigator and depth of this investigation varies considerably. Some countries focus only on those with obvious criminal or negligence aspects. Others investigate nearly every death which occurs outside a hospital or in which a physician is not in attendance at the time of death. Therefore, the autopsy rate varies considerably. For example, the medico-legal autopsy rate in Australia is 16% of all deaths while it is only 1-2% in Belgium. The degree of autopsy also varies, with some countries preferring external examinations unless circumstances dictate otherwise, while others perform full autopsies on nearly all medico-legal cases. Training also varies, with some countries such as Sri Lanka, requiring extensive courses in forensic medicine for all undergraduate medical students, while others make such courses optional, concentrating training at the postgraduate level. The autopsies may be conducted by full-time board-certified forensic pathologists with many years of training and experience to general physicians with little or no forensic experience or training. The decision-making authority on the need for an autopsy, can it be challenged or objected to by the next-of-kin, can the decision maker be sued, are some of the other issues that arise.

Way back in 1959, a discussion which took place at the London Hospital Medical College on the medico-legal procedure following death in unusual circumstances has been published in the *Medico-Legal Journal*. Dr. Milton Helpern, Chief Medical Examiner, New York City, Mr. A. L. Nixon, Procurator-Fiscal, City of Aberdeen and Sir Bentley Purchase, H.M. Coroner for the Northern District, County of London have represented the USA, Scotland and

England respectively¹. At the onset, the chairman Dr. F. E. Camps, Head, Department of Forensic Medicine, the London Hospital Medical College, opened the discussion with the following statement. “It seemed a good opportunity to try to elucidate for those of you who are a little muddled as to what exactly these various systems mean, how they work and how efficient they are”.

In July 1977, a special issue of *Forensic Science* consisting of 86 pages authored by Voight, Wecht and Eckert comparing medico-legal systems in 22 countries in Europe has been published². In 2006 Randy Hanzlick has published a book, on systems and procedures of death investigation in the USA³.

A paucity of literature that describes the MLS covering a wider geographical area exists. To fill this void – and since we feel that the statement of Dr. Camps is still true today as it was 63 years ago – this special issue of the *SLJFMSL* incorporates the MLS of all the inhabited continents of the world. Since this is the first one of its kind, we encourage readers from around the world, with differing MLS will contribute to further issues.

Detailed descriptions of the medico-legal system are given for Australia, Belgium, Brazil, Canada, England and Wales, Hong Kong, Netherlands, New Zealand, Poland, Scotland, South Africa, Sri Lanka and the Nordic countries comprising of Denmark, Sweden, Norway and Finland. A significant cross section of the different systems has been illustrated by these contributions.

REFERENCES

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