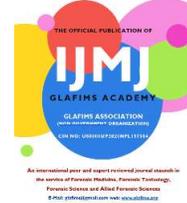




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Short Communication:

The Role of Forensic Medicine Doctors in Assisting Non-Forensic Clinicians with Medico legal Cases: Should it be considered Formal Work?

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Abstract: Medico-legal cases (MLCs) represent a critical intersection between medicine and law, requiring the expertise of forensic medicine specialists. While their traditional roles—such as conducting autopsies, investigating deaths, and providing court testimony—are well-defined, their advisory role in guiding other doctors on legal implications in medical cases remains ambiguous. This paper examines whether such advisory functions constitute formal "work" for forensic medicine doctors, considering institutional policies, legal standards, and professional expectations. Forensic medicine specialists provide essential guidance, including reviewing clinical cases, offering legal expertise, and assisting with documentation for legal scrutiny. However, this role is formally recognized only in select institutions, such as government medical colleges, while in district and rural hospitals, it remains informal and undocumented. Legally, their input holds significant weight in judicial decisions, yet healthcare systems often fail to acknowledge it in workload

assessments. Ethically, forensic experts may feel compelled to offer guidance to prevent legal errors, even without formal compensation.

The paper argues for the formal recognition of advisory roles as part of forensic medicine specialists' duties, recommending institutional documentation, workload adjustments, and ethical guidelines to standardize their contributions. Recognizing this role is crucial for ensuring legal compliance, protecting medical professionals, and upholding patient rights in medico-legal cases.

Keywords: Forensic medicine, medico-legal cases, workload recognition, legal advisory role, institutional policies, ethical guidelines.

Introduction: In healthcare services, medico-legal cases (MLCs) form a critical intersection between medicine and law. Forensic medicine specialists play a vital role in bridging this gap. Their expertise is sought in various capacities, including conducting autopsies, investigating causes of death, and providing expert testimony in courts.(1) However, a nuanced role they often assume involves guiding other doctors

in managing medico-legal cases, particularly in settings where legal implications arise from medical procedures, patient injuries, or deaths.(2) This article seeks to explore whether such advisory roles are regarded as "work" within the professional duties of forensic medicine doctors.

Defining Work in the Context of Forensic Medicine

The term "work" can be interpreted in various ways within medical practice. It commonly refers to tasks that are directly tied to patient care, research, or administrative duties. For forensic medicine doctors, traditional "work" typically encompasses activities like conducting post-mortems, examining victims of violence or accidents, and producing medico-legal reports.(3) However, guiding other doctors—especially those from different specialties—on the legal and forensic aspects of a case may not fall under this conventional definition. Whether such advisory functions are recognized as part of their formal workload depends largely on institutional policies, legal standards, and professional expectations.

The Role of Forensic Medicine Doctors in Medicolegal Case

Guidance: Forensic medicine doctors possess specialized knowledge in interpreting injuries, assessing causes of death, and understanding the legal implications of medical decisions.(4) Other healthcare professionals may lack such expertise, particularly when faced with medico-legal cases involving patient injuries, allegations of malpractice, or death under suspicious circumstances. In government medical colleges and few government hospitals, forensic medicine specialists are involved formally to guide clinicians in these situations. However, majority of grass root hospitals have no forensic medicine experts and autopsies and other medicolegal work is done by other specialists leading to poor quality of work. As per Punjab medicolegal manual, Medical officers may consult forensic medicine specialists for expert guidance in conducting postmortem examinations, handling medicolegal cases and providing testimony in legal proceedings.(5) This helps to ensure that legal protocols are followed, evidence is properly

documented, and medical decisions can withstand legal scrutiny.

The advisory roles include:

1. Reviewing Clinical Cases:

Offering second opinions on the nature of injuries, determining whether a case qualifies as medico-legal, and advising on the appropriate documentation.

2. Providing Legal Expertise:

Assisting in the understanding of the legal obligations of medical professionals, such as reporting requirements for certain injuries or deaths.

3. Offering Testimony or Documentation Support:

Helping doctors prepare medical records, documentation, or statements that are likely to be reviewed by legal authorities. (2)

These activities are vital to ensuring that medico-legal cases are handled appropriately, but are they considered formal "work"?

Institutional and Legal Perspectives Work Recognition within the Health System:

Although, government medical colleges have well established forensic medicine departments and the role of guiding other doctors in medico-legal cases is formally recognized as part of a forensic medicine doctor's duties. The doctors of

department are officially involved in the review of medico-legal cases, particularly in cases of assault, rape, or unnatural deaths. Their involvement is often mandatory and recorded as part of their workload. However, in government hospitals at districts and block levels, forensic medicine doctors are consulted on an informal basis. This advisory function is not explicitly documented as part of their official duties or accounted for in workload assessments. This lack of formal recognition leads to discrepancies in how their work is valued and compensated.

Legal Recognition : From a legal standpoint, forensic medicine doctors' guidance in medico-legal cases is often crucial. Courts and legal authorities may rely on their expert opinions to make judgments on issues of negligence, malpractice, or criminal liability. In this sense, the work they perform in guiding other doctors carries significant legal weight, even if it is not always formally recognized within the healthcare system.

Professional and Ethical Considerations:

Forensic medicine doctors, as part of their ethical obligations, may

feel a duty to guide their colleagues in medico-legal matters, especially when doing so could prevent legal errors or improve patient outcomes. This sense of responsibility may lead them to provide guidance even when it is not formally recognized or compensated as part of their workload. Ethically, providing accurate and timely advice on medico-legal cases can protect both patients and doctors from legal harm. It may prevent misinterpretations of medical findings that could result in wrongful legal actions, such as unfounded accusations of malpractice. Therefore, many forensic experts may feel it is their professional obligation to offer such guidance, irrespective of whether it is formally regarded as "work."

Conclusion: In conclusion, whether guiding other doctors in medico-legal cases is considered "work" for forensic medicine doctors depends on several factors, including institutional policies, legal frameworks, and professional norms. While their advisory role is often essential and carries significant legal and ethical implications, it is not always formally recognized as part of their workload. Given

the critical nature of medico-legal guidance in protecting both medical professionals and patients from legal consequences, there is a strong argument for formalizing and recognizing this role as part of the professional duties of forensic medicine doctors.

Recommendations:

1. **Formal Recognition:** Healthcare institutions should formally recognize the advisory role of forensic medicine doctors in medico-legal cases as part of their official duties and workload.

2. **Workload Documentation:** Institutions should implement systems to document and account for the time and effort forensic medicine doctors invest in guiding other clinicians on medico-legal matters.

3. **Ethical Guidelines:** Professional medical associations should offer clear ethical guidelines on the responsibilities of forensic medicine doctors in providing medico-legal guidance, ensuring that their role is both protected and respected within healthcare systems.

Ethical Clearance: Not required.

Conflict of Interest: There are no conflicts of interest to declare.

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