
Medicolegal Aspect of Medicolegal Cases in Casualty

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It is very common in the casualty department to examine injured persons, victims in sexual offences and accused in sex crimes, certification of drunkenness, age etc. The first action of a doctor in casualty is to provide the patient with the primary treatment, which is the medical duty of the doctor. Along with his medical duties the doctor also has Legal responsibilities. In the following article we will discuss the finer points and Legal aspects of handling a MLC case in casualty.

Legal Responsibilities General

- Always give the patient primary treatment to the patient. Never deny a patient medical aid. Examine the patient first, identify it as a medicolegal case and then take appropriate action. Following category of cases can be labelled as medico legal: -
 1. Cases of injuries and burns - the circumstances of which suggest commission of an offence by someone.
 2. All vehicular, factory or other unnatural accident cases specially when there is likelihood of patient's death or grievous hurt.
 3. Cases of suspected or evident sexual assault.
 4. Cases of suspected or evident criminal abortion.
 5. Cases of unconsciousness where causes are not natural or unclear.
 6. All cases of suspected or evident poisoning / intoxication.
 7. Cases referred from court or otherwise for age estimation etc.
 8. Cases brought dead with improper history creating suspicion of an offence.
 9. Any other case not falling under the above categories but has legal implication.
- All medico legal cases should be routed through casualty and the necessary entries made in medico legal register.
- All medico legal cases should be isolated after the necessary registration. For isolation a small medico legal ward is ideal but if that is not possible then there should be separate beds for medico legal cases

- Request of the patient or the accompanying relative or friend for not registering the case as medico legal should not be acceded.
- Medicolegal cases whether brought by police or someone else must be labelled as medico legal even if they have been brought several days after the incident.
- Medical examination of all female cases and generally the medico legal examination is carried out after taking the written consent of the patient, the age for which is 12 years. Consent of guardian/parents should be taken if the patient is below 12 years. Left thumb impression in cases of males/females and right thumb impression in cases of females should be taken on the report.
- A fresh medico legal report may not be prepared if the case brought has been registered medico legal at some other hospital. Medicolegal Case thru transfer from other hospital may not be registered.

Notification to Police: -

- The police station should be informed in all cases labelled as medico legal. Close coordination and cooperation between police authorities and the hospital doctors is desired in respect to medico legal cases.
- The Police station should be informed in writing. Preferably get the sign of the constable who is handed over the note of indication.

Maintenance of records

- It is necessary to maintain medical record for each person seen in Casualty department even if that patient is not formally admitted to the hospital
- Doctor in-charge of casualty must see that before a register of medicolegal report form is issued to the Casualty for use, it is properly numbered.
- Medico legal document should be prepared in duplicate, preferably with a ball pen with utmost care to proper form/ proforma giving all necessary details avoiding overwriting. Corrections if any, should be initialled and abbreviations avoided. Words should be distinct and legible and the report should be serially numbered.
- Examination should be carried out in detail recording all the findings. Besides this, the general condition of the patient, state of consciousness, blood pressure, pulse, respiration, temperature, treatment given etc., should be recorded.

- Original copy should be handed over to police official concerned and the carbon copy be kept as official record.
- If the condition of the patient is serious and it is not possible to prepare a detailed medico legal report in Casualty, it should be left for the doctor under whom the patient has been admitted.
- The Casualty Doctor in such cases should write only the general condition of patient and make a note that 'Detail' examination and report be prepared later in the ward.
- All forms filled for X-Ray examination in medico legal cases must have the word MLC on the top so that necessary precautions could be taken by Radiology Department in these cases. The X-ray findings together with the number of X-Ray Plates are recorded on the medico legal report in order to facilitate further treatment and reference. The X-ray report, and not the X-ray films of these cases, should be handed over to police.
- In case the police officer wants some clarification/ subsequent opinion regarding any point in the report, an application in duplicate in this respect is obtained from him. The clarification/subsequent opinion be given on the reverse of the application and a copy of the application and opinion be kept for and attached to the copy of original report prepared earlier record.

Prevention of other material / evidence: -

- Storage of evidence is one of the most important medico legal duties as the material / evidence is required in investigation of the case. A special M.L.C. seal should be used for sealing the medico legal material of evidence. All such clothing / articles etc., must be kept in safe custody under lock and key till they are handed over to the police authorities concerned. A proper receipt of such articles/ clothing must be obtained from the concerned police official as soon as they are handed over.

Finally, it is important to understand that in any medicolegal case the doctor may need to represent himself/herself in the court after many years. And it is very difficult for any person to remember every incident that had happened. So, any medicolegal case should be recorded till the last-minute detail, because you never know what may be important to save yourself in the court.