

Forensic Medicine 'Living and Dead'

Jason Payne-James

What is forensic medicine?

- Forensic – 'of or pertaining to the law'
 - Forensic pathology
 - Forensic physicians
- 'Legal medicine'
- Terms used interchangeably throughout the world
- Interaction with other science specialties
- Interaction with other bodies/organisations

Clinical forensic medicine

- Prisoner examinations
 - Prisoner and alleged victim examinations
- If sufficient training
 - Adult complainants of serious sexual assault
 - Alleged perpetrators
 - Child victims of neglect, physical or sexual abuse
 - Mental health assessments
- Expert opinions
- Refugee and asylum medicine
- Torture
- Human rights issues
 - UK
 - International
- Teaching, training and research
 - UK
 - International



What can a forensic physician do?

- With reference to police:
 - Fitness to detain
 - Fitness to interview
 - Fitness to charge
 - Fitness to release
- Mental health assessments
- Traffic offences – drink/drug driving
- Sudden deaths
- Complainant (domestic, sexual, child, elder)
- Suspect
- Police
- Complaints
- Prevention of Terrorism prisoners

Other roles where forensic skills needed

- Sexual offence examiners
- Child protection
- Safeguarding
- Refugee assessments
- Torture assessment
- Consultants/advisers
 - eg Military Court Service
 - National Policing Improvement Agency
 - coroners
 - Independent Police Complaints Commission
 - Her Majesty's Revenue and Customs
- Expert opinions:
 - defence and Crown
 - civil issues
 - professional standards and complaints

Criminal vs Civil Jurisdictions?

- Adversarial system
- Civil – live evidence uncommon
- Criminal – live evidence common

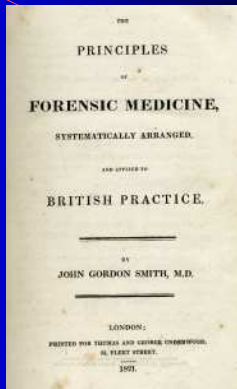


Approximate numbers of forensic cases

- Forensic pathologists
 - ~ < 50
 - ~ 1800 homicides 2007 -2008
 - ~ 300,000 coroners autopsies (hospital pathologists)
- Forensic physician
 - ~ 500-1000?
 - ~ 500,000 cases per annum
 - (~950,000 violence cases 2007-8)
 - ~ 16,000 cases of serious violence 2007-8

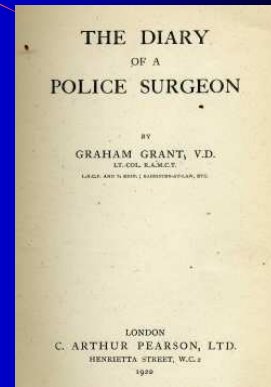
Clinical forensic medicine

- A new discipline?



Forensic physicians

- A new medical speciality?



Independence of forensic physicians

- A new concept?

One night I was called to Shadwell station to see a man charged with being drunk and disorderly, who had a number of wounds on the top of his head. I dressed the wounds and bandaged the dressings on to our mutual satisfaction, and when I had finished he whispered: "Doctor, you might come with me to the cell door."

I saw no reason to refuse his request, and went with him. We were just passing the door of an empty cell, when a police constable with a mop slipped out and struck the man a blow over the head, which made short work of all my beautiful bandaging.

Boiling over with indignation I hurried to the inspector's office, told him what had occurred, and added that if he did not deal with the delinquent at once and sufficiently, I would report the whole disgusting business to headquarters.

So the inspector sent for the offender, and of what was said and done perhaps the less I say the better. In the event I was perfectly satisfied and nothing of the kind

GUIDANCE ON THE SAFER DETENTION & HANDLING OF PERSONS IN POLICE CUSTODY

2006

Produced on behalf of the Association of Chief Police Officers and the Home Office by the National Centre for Policing Excellence

Evidential



Evidential



Daily themes which involve forensic medicine

Public get child safety role in wake of Baby P

John Carvel and Sam Jones

Ed Balls announced last night that members of the public would be appointed to child protection boards to improve safeguarding after the death of Baby P, the two-year-old boy who died from horrific abuse despite being seen 18 times by the authorities.

The children's secretary told the Commons that Local Safeguarding Children Boards (LSCBs) would in future be required to appoint two lay members from the local community and to publish an annual "effectiveness" report.

The changes to the appointments, with children and families still central to Lord Laming's independent report into the death of Baby P, who died in the London borough of Haringey in 2007.

At the time Baby P was two years old, his mother, stepfather and their lodger were found guilty of causing or allowing the death of the 17-month-old boy. Last week, Baby P's grandfather was found guilty of causing a two-year-old girl.

In the report published in March this year, Laming concluded that too many child protection agencies had to be introduced after the death of the child, and that the Victorian Children's Act was expected to be replaced by the government's drafted response to the report by Laming, who also claimed the public inquiry into the death of Gemble to the Commons.

Laming recommended that temporary child protection officers be appointed to investigate the local authority's handling of children's services.

Following the recommendations, local authority child and service managers were faulted to give a high enough priority to child protection, which remained a "children's service" with a diminished workforce and an unsustainable high vacancy rate. He noted that 20% of the 11 million children in England lived in homes with factors high risk of children's abuse.

Balls is expected to present an action plan to amend these weaknesses.

It will include setting up a "cross-government safeguarding delivery unit" to support and challenge the performance of local authorities and children's teams.

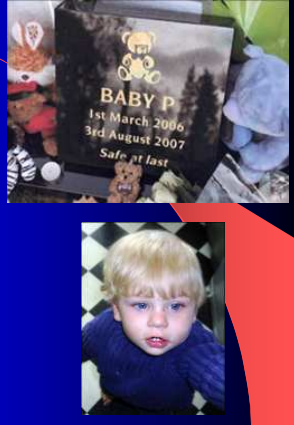
Balls has appointed Sir Roger Singleton, a former head of the children's charity Barnardo's, to be the government's chief adviser on the safety of children. Sir Roger will advise, monitor, challenge and report on the collective of government departments' strategic priorities, policies and approaches to safeguarding children.

Singleton will be supported by an expert group including representatives from the MPP, NHS, children's services and police chiefs.

He said he had been asked by Balls to revise the guidance manual Working Together to Safeguard Children.

Balls told the Commons: "Over the past few days people across the country will have been horrified to read that one of the children involved in the report of the death of Baby P has also committed another child protection offence."

"There is nothing we can do to take away the suffering caused by these tragic cases, but it is our responsibility to do everything we can in Haringey and across the country, that we ensure the best possible child protection arrangements."



THE Sun Will donut get dunked?

EXCLUSIVE: KILLER'S 90-MINUTE SUICIDE TAPE REVEALED IN FULL

HUNTLEY CONFESSIONS

How Holly and Jessica were killed

Probably I'm going to hell

Maxine hit me to stop me talking

I did tell Holly dad I'm sorry



Exposed: MI5's secret deals in Camp X-ray

MailOnline

Babar Ahmad: The civil servant's son they say was plotting to murder Americans

exclusive By Robert Workall

MI5 secretly tried to hire British-born Babar Ahmad to spy on the British and other US targets because he was willing to work undercover for MI5. A second document shows he was recruited to protect them from...

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'Orgy of blood letting': pair jailed for life
PAOLA TOTARO
 June 5, 2009



(Clockwise from top left) Murdered French students Gabriel Perez and Laurent Bonanno, both 23, the flat of the students after the attack, Dano Sonnex and Nigel Farmer, who were found guilty of the murders. Photos: Reuters

The two men who tortured and murdered two brilliant young French students in what British prosecutors described as an "orgy of blood letting" were jailed for life by the Old Bailey overnight.

The two men, a drug addict and a man who was wrongly out on probation, carried out what has been described as one of the most sadistic killings in British criminal history, stabbing their victims more than 240 times before setting fire to them.

The murderers, Nigel Farmer and Dano Sonnex, attacked the students in their home in June last year and have been sentenced to serve a minimum of 35 and 40 years respectively.

BBC drama about Suffolk Strangler's victims condemned by mother

A new BBC drama about the women murdered by the Suffolk Strangler, Steve Wright, has been condemned by the mother of one of his victims.

Published: 3:00PM GMT 07 Dec 2009

Kerry Nicol, 41, whose daughter Tania, 19, was killed by Wright, accused the BBC of having "no respect" for the families of Wright's five victims.

Five Daughters, a three-part drama about the murders starring Sarah Lancashire, formerly of Coronation Street, will be aired on BBC One next year.



Steve Wright was captured on killing Gemma Adams, Tania Nicol, Anneli Aderton, Annelle Reynolds and Paula Clelland in February 2008. Photo: PA

Women binge drinkers double in eight years

By Steve Doughty
 Social Affairs Correspondent

BINGE drinking among women has more than doubled in eight years, an influential study said yesterday. It found that 15 per cent of women regularly consume twice the state-approved safe limit.

The shock figure - for 2008, the latest year available - compares with 7 per cent for 2000.

The findings from a large-scale study by the London School of Hygiene and Tropical Medicine point to binge drinking among the middle-aged, the elderly and children.

The researchers said the rise in binge drinking was more to women's growing independence, greater spending power and increasing overtime hours.

There are 6.5 million women in the UK who are thought to be drinking six or more units of alcohol a week, up from 3.5 million in 2000, says Labour's 2008 Spending Review, which shows some have to stay sober around the clock, even on weekends, to avoid being jailed.

The researchers said that women were being treated to greater acceptance of women in male roles and to more wild behaviour for entertainment at work.



THE BABY GLOOMERS

The pressure of caring for older relatives is leading to a surge in the number of middle-class people in their 30s and 40s turning to drink, the report said.

The research suggests having to take on a career role can lead to difficulties for the middle class generation as they adjust to a new lifestyle.

Before then, these middle-class people are believed to be helping their parents financially.

Millions more care for elderly relatives who cannot look after themselves any longer.

CHILDREN COPY THEIR PARENTS

BINGE drinking among children aged between 11 and 17 is on the rise, the report said.

The increase is likely to reflect the influence of parents, family, friends and, above all, the internet.

There was a compelling explanation for the rise in binge drinking among adults may be contributing to increased access to alcohol among children.

Youngsters may be able to buy alcohol from shops, but some

'Excessive and harmful'

stay sober around the clock, even on weekends, to avoid being jailed.

The researchers said that women were being treated to greater acceptance of women in male roles and to more wild behaviour for entertainment at work.



Daily Mirror
 WEDNESDAY 10/05/2009
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I SURVIVED KILLER DOC

Gran rushed to hospital after job

A GRANDMOTHER given botched treatment by a doctor blamed for two deaths on his first shift

gran another drug. Iris Edwards, 66, of Ely, died two hours after Dr Urbani treated her on the same day.

Mrs Banks said of her ordeal: "Dr Urbani didn't speak good English, which doesn't help."

"He injected me and said it would be another blood transfusion, which

had flown over from Germany and had three hours sleep before starting work in February 2008.

He claimed he bled her with Mr Grey to Maria, Conna, as 'he couldn't understand the patient'."

But the doctor's son Stuart, 49, also a GP, said: "We think he was just

Roy Burnett

- Life sentence for rape 1985
- 1999 – released following Appeal
- Judge LJ - 'almost certainly was never involved'
- Convicted on poor medical evidence, wrongly interpreted
- Not challenged by defence
- False accusation

Purpose of appropriate assessments

'As everybody who has anything to do with the law knows, the path of law is strewn with examples of open and shut cases which, somehow, were not; of unanswerable charges which, in the event, were completely answered; of inexplicable conduct which was fully explained; of fixed and unalterable determinations that, by discussion, suffered a change.'

Megarry J in *John v Rees* [1970] Ch 345, 402

Purpose of appropriate assessments

"Justice 'according to law' demands proper evidence. By that we mean not merely evidence which might be true and to a considerable extent probably is true, but, as the learned trial judge put it, "evidence which is so convincing in truth and manifestly reliable that it reaches the standard of proof beyond reasonable doubt."

Court of Appeal in *R. v Steenson and others* [1986] NIJB17 – Lord Lowry LCJ

And quoted by Weir J in *R v Sean Hoey*

Pros of Clinical Forensic Medicine

- Broad base of real clinical medicine
- Great job satisfaction
- Huge range of caseload
- Independence
- Interaction with clients, lawyers, police and other healthcare professionals
- Assisting in the proper administration of justice (criminal, asylum, civil, tribunals)

Any questions!

