



Original communication

Forensic autopsy practice in the Middle East: Comparisons with the west



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ABSTRACT

Autopsies are performed in the majority of Arab, Muslim countries. Several of these countries face social challenges and others do not have well established academic programs to teach the science. In this article we intend to review the history and practice of the forensic part of autopsies in a few Arab, Muslim countries (Egypt, Kingdom of Saudi Arabia (KSA) and Kuwait) and compare it with the United States of America (USA) and the United Kingdom (UK), 2 countries where the practice of forensic science and Forensic pathology is well established. This was achieved by pub med literature search and the distribution of a questionnaire to colleagues in Arab countries. We recommend that Arab countries explore the field of virtual autopsy to overcome some of the social challenges related to dissection of the cadaver. Kuwait can benefit from the introduction of Forensic training given the high workload in the country.

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1. Introduction

Most religions have an unfavorable view of autopsy, and Islam is among them.¹ Islam has called for respect of the body after death and prohibited its disfigurement. But in 1952, the head of the Islamic School of Jurisprudence in Egypt stated that “Necessity permits the forbidden,” thus allowing autopsies in cases of criminal death or suspected deaths. In 17 October 1987, the international Islamic Fiqh academy formulated another legal opinion “Fatwa” which stated that the advantages of autopsy are greater than the disadvantages if it serves justice.^{2–5} This academy was created in 1981 and consists of well-known Muslim scholars from all Muslim countries. So Islam now accepts autopsies when useful and does not conflict with its performance, but at times social aspects matter more to the public view than religious facts and the social environment in most Muslim countries is strongly against performing autopsies due to disfigurement of their loved ones. Autopsies are practiced in most Arab Muslim countries in forensic medicine departments that are either affiliated with the ministries of Justice, Health or Interior. Below is an account of Forensic pathology services in Egypt, KSA and Kuwait from a historic, academic and daily

practice perspective. Furthermore, the overall infrastructure of the forensic system in these countries is discussed and any social or religious sensitivities are also addressed. USA and UK have a well established medical examiner and coroner's systems respectively. The academia and practice of this discipline in these countries has been addressed in numerous publications. We will therefore go into less detail about the practice in Forensic pathology in the 2 latter countries, but we will touch on a few aspects of the practice for ease of comparison with the Arab Muslim countries.

2. Forensic pathology in KSA

The medico legal death investigation system in the Kingdom of Saudi Arabia (KSA) is based exclusively on Sharia's law which is the definitive Islamic law or doctrine. No other Islamic country shares this feature with KSA. In May 1962 the MOH established forensic medicine centers supported by the MOH laboratories and helped by the police authorities. The decision was appropriately made for the head office to be in Riyadh, “the capital,” and smaller branches in other major cities. Each center had 2 main sections: (1) chemical laboratories for blood, biology, toxic, and microbial material analyses and examination; and (2) an x-ray section for conducting various scanning and radiography studies relating to forensic medicine.⁶ Subsequently the number reached 18 centers under the supervision of Saudi consultants (n = 8) and other experienced and

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highly qualified forensic medical examiners ($n = 40$), predominantly from Saudi citizens and Egyptians with master and doctorate degrees in the field of forensic medicine.

Forensic medicine education in KSA developed in the past few years after the foundation of the Saudi specialty certificate in forensic medicine. In January 2006, Dr Osama M. Al Madni, the forensic examiner in chief and his co-workers, in the city of Dammam in the Eastern Province of the Kingdom, innovated the Saudi Specialty Certificate in Forensic Medicine. It is the first training program in KSA in this area. The program is a collaboration between the MOH, Ministry of Higher Education and MOI.⁷ Residents evaluation and promotion depends on an annual written, oral, and practical examination. The program is a 4-year training program. A forensic certificate is given to the successful candidate. This program has been strategically designed to provide a continuous “flow of forensic specialists to the KSA”. Graduates of this program, however, are not fully trained to interpret gross and microscopic pathologic specimens. They are therefore not forensic pathologists by training and they always refer pathologic specimens for anatomical pathologists for examination. Graduates, however have the necessary training to visit crime scenes, assess the evidence and refer material to toxicology or pathology laboratories as appropriate. In addition to that they also examine living subjects that were exposed to encounters of forensic nature e.g. sexual assault victims. The latter is known as clinical forensic medicine.

The forensic medicine centers in KSA are under the umbrella of the Ministry of Health (MOH). They deal with post-mortem examination of cases in addition to clinical forensic medical. Forensic centers need assistance from ancillary laboratories. Some are under the auspices of the MOH eg histopathology, microbiology, and others are run administratively by the Ministry of Interior (MOI) eg DNA laboratory. Other departments of forensic sciences, for example, counterfeiting and forgery unit are related administratively to the Administration of Criminal Evidences. It can therefore be seen that there is a harmonious, collaborative relationship between the different agencies.⁶

The concept of an autopsy is usually rejected by most of the deceased relatives. In the Islamic religion the belief is that comfort of the deceased is accomplished by early burial. Prosecutors try to avoid autopsies in certain circumstances e.g. if the cause of death is evident by the external examination of the victim like a gunshot wound, or in case of a clear confession from the suspect and if the relatives agree for a compensation to discontinue prosecution. However, by law the prosecutors in KSA have the authority to proceed with performing an autopsy without the need for a consent if there is a high element of suspicion of an natural death or if information in the medical chart is incomplete.⁸ An autopsy permit is issued from the administrative governor of the province or his authorized officer and the forensic doctor has to try to return the body to its pre autopsy appearance to the best of his capacity.

The basic requirements for employment as a forensic medical doctor in KSA apart from the recognized medical degree include: being a Muslim (according to Islamic sharia) and speaking Arabic (because the language used in the judiciary system is Arabic).⁹ About 2000 autopsies are performed annually in KSA despite the religious and cultural pressures that the forensic specialists deal with.

3. Forensic pathology in Egypt

Egyptians performed embalming in ancient times. This involved removal and examination of internal organs of humans. Embalmers probably examined the body for a cause of death.¹⁰

Dr. Clot Beck, a French doctor, was a key figure in the forensic history in Egypt. He started forensic education in the School of

Medicine. The first class of Egyptian doctors graduated from the school in 1832, and in the same year the first Egyptian mission of 12 doctors was sent to France.¹⁰

The first Forensic Medicine department was established in 1890 by the General Prosecutor. In 1931, a decision was made to transfer the Department into the Forensic Medicine Authority. The Forensic Medicine Authority was affiliated with the Ministry of Justice in 1932.¹⁰

Forensic medicine studies have historically been given a lot of importance by the Ministry of Higher Education, in Egypt. Forensic courses are taught very early in the Faculty of medicine and faculty of Science in all Egyptian universities. Medical students are exposed to a comprehensive curriculum on forensic medicine in the fourth year of study. Forensic specialists in Egypt are usually doctors who finish medical school and then enroll in an anatomical pathology residency followed by training for a year or two in Forensic pathology.¹⁰

In Egypt forensic medical examiners perform all aspects of death investigation which includes crime scene visits and examination of the cadavers both externally and internally. They perform complete autopsies with appropriate sampling for histopathological examination and then prepare a final medico legal report to the general prosecuting authority. In addition, forensic medical examiners are responsible for the examination of living persons, as is the case in KSA, (clinical forensic medicine).

There are about 150 medical examiners registered in the Egyptian Forensic Medicine Authority, about 50% of them are working in Arab countries. The Forensic Medicine Administration consists of 4 departments. First the forensic medical examiners' offices where the medical examiners perform the previously mentioned duties. The second department is the forensic medical laboratories, which is further subdivided into serology unit, forensic histopathology unit, genetic research unit, and microbiology unit. All the necessary laboratory ancillary test are performed in these laboratories including DNA fingerprinting. Third the forensic chemistry units which include a central laboratory and seven departments distributed all over the country. It is in these units that examination of bodily fluids for alcohol and illicit street drugs is performed. The fourth and final unit is the counterfeiting and forgery units. The unit has a central department and eight satellite departments all over the country. The experts examine documents to ensure their authenticity e.g. currency and stamps. The MOI in Egypt has a similar department and there is continuous collaboration between the two departments.

Although Egypt is a predominantly Muslim country, no pressures are experienced by Forensic specialists in performing their duties, which includes full autopsies and retaining organs if needed. This is probably due to the long historic roots of the practice so that the population has accepted its nature since ancient times.

4. History of forensic pathology in Kuwait

Only one Forensic center is present in Kuwait. It was established following a governmental decree in 1961. The center is known as the general department of criminal evidence (GDCE) and is under complete administrative control of the MOI. Forensic pathology is a subsection under the department of Forensic medicine which is one of seven departments in the GDCE. The general organizational structure of the GDCE is given in Fig. 1 and the various divisions of the department of Forensic medicine is given in Fig. 2. As can be seen from Fig. 2, autopsies are performed in one unit and histopathology specimens are processed and interpreted in a different unit. Both units or sections have different doctors that liaise amongst themselves to reach a cause of death. The forensic

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